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**FLEXIBLE HOURS EMPLOYMENT**

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**LEGISLATIVE COUNSEL**

**HEARING**

**BEFORE THE**

**COMMITTEE ON**

**POST OFFICE AND CIVIL SERVICE**

**UNITED STATES SENATE**

**NINETY-THIRD CONGRESS**

**FIRST SESSION**

**ON**

**S. 2022**

**TO PROVIDE INCREASED EMPLOYMENT OPPORTUNITY BY  
EXECUTIVE AGENCIES OF THE UNITED STATES GOVERN-  
MENT FOR PERSONS UNABLE TO WORK STANDARD WORK-  
ING HOURS, AND FOR OTHER PURPOSES**

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**SEPTEMBER 26, 1973**

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Printed for the use of the  
Committee on Post Office and Civil Service



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## FLEXIBLE HOURS EMPLOYMENT

WEDNESDAY, SEPTEMBER 26, 1973

U.S. SENATE,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, D.C.*

The committee met, pursuant to notice, in room 6202, Dirksen Senate Office Building, Hon. Gale W. McGee (chairman of the committee) presiding.

Present: Senators Fong and Bellmon.

Staff members present: Richard G. Fuller, associate staff director; Dan Doherty and John Giannini, professional staff members.

### OPENING STATEMENT

The CHAIRMAN. We will turn now to S. 2022, the bill that is pending here, introduced by Senator Tunney, and Senator Javits, provides increased employment opportunities in Government for persons unable to work standard working hours.

This bill, intended to institutionalize flexible hours in Federal employment, is designed to permit employees, especially women with schoolchildren, to find meaningful Government employment now denied them because of the prevailing standard working day.

A number of employee organizations are obviously interested in this, as well as many select groups of individuals currently affected adversely in their judgment by the existing procedures.

Statements will be submitted by the American Federation of Government Employees, and the American Postal Workers Union, so that we may round out the record. We will also include as part of the record the views of the Department of Labor,<sup>1</sup> whose chief advocate of this measure is out of the country at the moment, and then a statement from the Postal Service itself. Also a copy of S. 2022, with agency reports.

[The aforementioned follows:]

<sup>1</sup> See page 151.

93D CONGRESS  
1ST SESSION

# S. 2022

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## IN THE SENATE OF THE UNITED STATES

JUNE 19 (legislative day, JUNE 18), 1973

Mr. TUNNEY introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

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## A BILL

To provide increased employment opportunity by executive agencies of the United States Government for persons unable to work standard working hours, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       *That this Act may be cited as the "Flexible Hours Employ-*  
4       *ment Act".*

5       SECTION 1. As used in this Act, the term—

6           (1) "executive agency" means an executive depart-  
7       ment, a Government corporation, and an independent  
8       establishment, including the United States Postal Serv-  
9       ice;

10          (2) "flexible hours employment" means part-time

1 employment, as for example, four hours per work day or,  
2 one, two, three, or four days per workweek, and includes  
3 such other arrangements as the Secretary establishes  
4 consistent with the policy set forth in section 2 (a) ; and  
5 (3) "Secretary" means the Secretary of Labor.

6 SEC. 2. (a) It is the policy of the United States Govern-  
7 ment that, unless adjudged impossible by the Secretary, at  
8 least 2 per centum of the positions at each and all levels in  
9 all executive agencies shall be available on a flexible hours  
10 employment basis for persons who cannot work or do not  
11 desire to work full time within one year after the date of en-  
12 actment of this Act. Not later than two years after the date of  
13 enactment of this Act, 4 per centum of such positions shall be  
14 available for such persons. Not later than three years after the  
15 enactment of this Act, 6 per centum of such positions shall be  
16 available for such persons. Not later than four years after the  
17 enactment of this Act, 8 per centum of such positions shall be  
18 available for such persons. Not later than five years after the  
19 date of enactment of this Act, 10 per centum of such positions  
20 shall be available for such persons.

21 (b) Each executive agency shall adopt and maintain  
22 procedures, continuously conduct activities and projects, and  
23 undertake such other efforts as may be appropriate to carry  
24 out the policy of subsection (a) of this section. The Secretary  
25 shall promptly formulate and implement and thereafter super-

1 vise a program to assist executive agencies in carrying out  
2 such policy.

3 (c) Each executive agency shall report quarterly to the  
4 Secretary on the procedures, activities, projects, and other  
5 efforts undertaken to carry ont the policy of subsection (a)  
6 of this section. The quarterly reports shall contain documenta-  
7 tion concerning the extent to which the employment require-  
8 ments of subsection (a) have been fulfilled and an explana-  
9 tion of any impediments to their fulfillment and of measures  
10 undertaken to remove these impediments.

11 (d) The Secretary shall report annually to the Con-  
12 gress on the procedures, activities, projects, and other ef-  
13 forts undertaken to carry out the policy of subsection (a).  
14 The annual reports shall contain documentation concerning  
15 the extent to which the employment requirements of sub-  
16 section (a) have been fulfilled and an explanation of any  
17 impediments to their fulfillment and of measures undertakeu  
18 to remove these impediments.

19 SEC. 3. (a) The Secretary shall carry ont all his or  
20 her functions relating to the welfare of wage and salary  
21 earners through the Employment Standards Administration  
22 of the Department of Labor, or any administration of the  
23 Department of Labor that may, after the effective date of  
24 this Act, be charged with responsibilities similar to those  
25 of the Employment Standards Administration, including—

1                 (1) the conduct of research and experimentation  
2                 projects and any other activities designed to promote,  
3                 in public and private employment, the advancement of  
4                 opportunities for persons who are unable or who do not  
5                 desire to work standard working hours;

6                 (2) the promotion and supervision of programs for  
7                 flexible hours employment in the executive agencies;  
8                 and

9                 (3) the encouragement of adoption of flexible hours  
10                employment practices by all public and private em-  
11                ployers.

12                (b) The Secretary shall carry out all of the functions  
13                of this Act through the Employment Standards Adminis-  
14                tration of the Department of Labor, or any administration  
15                of the Department of Labor that may, after the effective  
16                date of this Act, be charged with responsibilities similar to  
17                those of the Employment Standards Administration.

18                SEC. 4. No person who is otherwise qualified for full-  
19                time Federal employment shall be required to accept flexible  
20                hour employment as a condition of new or continued em-  
21                ployment.

22                SEC. 5. All persons employed in flexible hours employ-  
23                ment positions pursuant to the policy established by section  
24                2 (a) of this Act shall receive, on a pro rata basis, all benefits

1 normally available to full-time employees of all executive agen-  
2 cies in similar position or grade.

3 SEC. 6. No executive agency subject to the provisions of  
4 this Act shall, for the purpose of determining that agencies  
5 personnel ceiling requirement, count any employee employed  
6 on a flexible hours employment basis other than on a pro rata  
7 basis according to the percentage of hours such employee  
8 works in each forty-hour workweek.

9 SEC. 7. No person employed as an expert or consultant  
10 pursuant to section 3109 of title 5, United States Code, and  
11 no person who is employed for more than twenty hours in any  
12 forty-hour workweek by any employer other than an executive  
13 agency may be counted for the purpose of determining compli-  
14 ance with the policy established in section 2 (a) of this Act.

15 SEC. 8. There are authorized to be appropriated such sums  
16 as may be necessary to carry out the purposes of this Act.

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UNITED STATES CIVIL SERVICE COMMISSION  
WASHINGTON, D.C. 20415

CHAIRMAN

September 25, 1973

Honorable Gale W. McGee  
Chairman  
Committee on Post Office  
and Civil Service  
United States Senate

Dear Mr. Chairman:

This is in further reply to your request for the views of the Civil Service Commission on S. 2022, a bill "To provide increased employment opportunity by executive agencies of the United States Government for persons unable to work standard working hours, and for other purposes".

While we agree with the general purpose of creating as many part-time employment opportunities as possible, the Commission is opposed to this bill.

It is our view that legislation to accomplish the basic objective of the proposal is neither necessary nor desirable. There is now available administrative flexibility that enables Federal executive agencies to employ workers on a part-time basis. This flexibility has been used by agencies for many years to provide employment opportunities for those workers unable to work full-time and also to carry out essential functions and workload demands that lend themselves to accomplishment by part-time workers. For example, the Department of Health, Education, and Welfare employs about 2,300 part-time workers and the Department of Agriculture has about 2,100 employees in this same category. The Veterans Administration has some 11,500 part-time workers.

In addition to the fact that legislation is not necessary, we object to the proposal because it would require that a fixed percentage of positions at each and all levels in all executive agencies be set aside for part-time work. This is impractical and would produce many problems. The requirement does not take account of the amount and type of work to be done and would be imposed whether or not such work could best be accomplished by part-time employees. In effect, the bill would severely impair an agency head's ability to manage.

The bill would require that some jobs now filled on a full-time basis be converted eventually to part-time. This would be more costly because of additional overhead expenses and would result in inefficient operations in some work situations. We seriously question whether these undesirable, and unnecessary results are in the public interest.

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The proposed employment system also ignores the fact that large blocks of Federal jobs do not lend themselves to being filled on a part-time basis. By way of example, these would include:

- most supervisory and managerial positions
- jobs that require continuity
- jobs for which training costs are high and could be prohibitive for part-time employment
- those requiring frequent or extensive travel
- most investigative positions.

Labor market conditions, and fluctuations in labor market conditions completely beyond the control of the Federal government, would in our judgment make it impossible to hire enough well qualified employees in some types of jobs to meet the employment requirements of the bill. Examples of these are:

- many blue collar and trades positions, especially in areas of highly concentrated blue collar employment
- jobs such as Air Traffic Controller, Border Patrol Officer, Park Ranger, and Forester which require specialized experience not readily found among candidates willing to work part-time.

We object also to that feature of the bill which designates the Secretary of Labor as the official responsible for its administration. The Civil Service Commission has general responsibility for employment policies and programs within the Federal government. To the extent that legislation is needed in this program area, and it is not in this instance, the Civil Service Commission should be charged with administrative responsibility.

In conclusion, it should be noted that the Commission encourages agencies to use a variety of techniques, including part-time work assignments, to provide employment for women and men whose family or other personal responsibilities do not permit full-time employment. While the Commission agrees with the general purpose of the bill as stated, we cannot agree with the establishment of this type of arbitrary numerical employment standard.

The Office of Management and Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

S/Robert E. Hampton

Chairman

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COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20540

B-179117

September 11, 1973

The Honorable Gale W. McGee, Chairman  
Committee on Post Office and Civil Service  
United States Senate

Dear Mr. Chairman:

We refer to your letter of June 29, 1973, requesting our views and comments on S. 2022, 93d Congress, which, if enacted, would provide increased employment opportunity within executive agencies of the United States Government for persons unable or not wishing to work standard working hours and would be cited as the "Flexible Hours Employment Act."

Section 1(1) of the bill defines "executive agency" as an executive department, a Government corporation and an independent establishment (including the United States Postal Service) apparently in accordance with those terms as set forth in sections 101, 103 and 104 of title 5, United States Code. Presumably the military departments as defined in section 102, *supra*, are also intended to be encompassed within the scope of the bill. To remove any doubt in this respect you may wish to specifically include a military department in the term "executive agency" as defined in section 1(1) of the bill.

Section 2(a) of the bill proposes as a policy that all executive agencies shall make positions available at each and all levels on a flexible-hours or part-time employment basis for persons who cannot or do not desire to work full time "unless adjudged impossible" by the Secretary of Labor. The bill requires that these positions be made available in annual increments of at least 2 per centum of positions at each and all levels starting one year after enactment until 10 per centum of such positions shall have been made available for flexible hours employment not later than 5 years after the date of enactment.

Responsibility for monitoring achievement of part-time employment goals required by the bill would be assigned to the Secretary of Labor. Each agency would report quarterly to the Secretary on progress made on the program and the Secretary would be required to report annually to Congress on efforts undertaken to meet the percentage goals and reasons for failure to do so where pertinent.

The existing law governing hours of work for Government employees is contained in section 6101 of title 5, U.S.C., and reads in pertinent part as follows:

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"§ 6101. Basic 40-hour workweek; work schedules; regulations

"(a)(1) For the purpose of this subsection, 'employee' includes an individual employed by the government of the District of Columbia, but does not include an employee or individual excluded from the definition of employee in section 5541(2) of this title.

"(2) The head of each Executive agency, military department, and of the government of the District of Columbia shall—

"(A) establish a basic administrative workweek of 40 hours for each full-time employee in his organization; and

"(B) require that the hours of work within that workweek be performed within a period of not more than 6 of any 7 consecutive days.

"(3) Except when the head of an Executive agency, a military department, or of the government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to each employee in his organization, that—

"(A) assignments to tours of duty are scheduled in advance over periods of not less than 1 week;

"(B) the basic 40-hour workweek is scheduled on 5 days, Monday through Friday when possible, and the 2 days outside the basic workweek are consecutive;

"(C) the working hours in each day in the basic workweek are the same;

"(D) the basic nonovertime workday may not exceed 8 hours,

\* \* \* \* \*

"(c) The Civil Service Commission may prescribe regulations, subject to the approval of the President, necessary for the administration of this section insofar as this section affects employees in or under an Executive agency."

The above-quoted statute provides for a 40-hour administrative workweek, consisting of 5 eight-hour days, normally running from Monday through Friday. However, the law does not make it a mandatory

requirement that every employee work 40 hours per week. The Civil Service Commission (CSC) in implementing the aforementioned statute has made provisions for a workweek of less than 40 hours for part-time employees by defining "Regularly Scheduled Administrative Workweek" in 5 CFR 610.102(b) as follows:

"(b) 'Regularly scheduled administrative workweek,' for full-time employees, means the period within an administrative workweek, established in accordance with § 610.111, within which these employees are required to be on duty regularly. For part-time employees, it means the officially prescribed days and hours within an administrative workweek during which these employees are required to be on duty regularly."

It is the policy of the Federal Government to encourage appropriate part-time employment as expressed in section B-4, Appendix B, Chapter 312, of the Federal Personnel Manual:

"B-4. FOSTERING APPROPRIATE PART-TIME EMPLOYMENT"

"The Office of Management and Budget and the Civil Service Commission have strongly urged that Government agencies make employment available to women who can work only part-time; to the physically handicapped, some of whom cannot work full time; to persons who want to work only part-time because of their desire to continua their education; and to other appropriate categories. If executive agencies wish to move along similar lines, they will find the Office of Management and Budget administers the ceilings in a way that permits and encourages the kind of flexibility that results in improved efficiency and productivity."

We have no information as to the desirability of assigning to the Secretary of Labor the responsibility for formulating, implementing and supervising a program to assist executive agencies in carrying out the flexible hours employment policy as required by section 2. However, in view of the statutory authority of the CSC to regulate hours of work cited above it would appear that the responsibilities assigned to the Secretary of Labor by the bill may duplicate or conflict with those of the CSC. Also for consideration are the broad authorities delegated to the CSC to administer the Civil Service System in such areas as (1) employment and retention of employees under chapter 31 of title 5.

U.S.C., and Executive orders implementing these statutes; and (2) examination, selection and placement of employees under chapter 33 of title 5, *supra*, and Executive orders implementing these statutes; and (3) pay and allowances of employees and classification of positions under chapter 51 of title 5, *supra*. In light of authority already exercised by the CSC, it would seem more appropriate to place the responsibilities imposed by the bill in the CSC or jointly in the CSC and the Secretary of Labor.

Section 3 of the bill assigns responsibility for administration of its provisions specifically to the Employment Standards Administration or a similar organizational unit of the Department of Labor. In addition to the program for designating certain percentages of Government positions as part time the bill also requires the Employment Standards Administration to develop programs to expand opportunities for part-time employment in private industry. With respect to this provision we suggest that such a statutory designation may unduly limit administrative flexibility and that the determination as to the organizational unit best suited to execute the program should be left to the judgment of the Secretary.

Section 5 of the bill provides that employees in flexible hours employment positions shall receive on a pro rata basis "all benefits normally available to full-time employees of executive agencies in similar position and grade." However, the bill does not specify with particularity just what these benefits are, and neither does it specifically vest authority in any designated agency to regulate such benefits. Under existing law the CSC has been delegated the responsibility of regulating in most fringe benefit areas including authority to exclude from such benefits certain classes of employees. For example, specific authority has been delegated to the CSC to regulate such entitlements as leave in 5 U.S.C. 6311; retirement, 5 U.S.C. 8347; life insurance, 5 U.S.C. 8716; health insurance, 5 U.S.C. 8913; severance pay, 5 U.S.C. 5595 as implemented by Executive Order 11257; and back pay, 5596(c). Therefore, in order to avoid conflicts in jurisdiction, we suggest the bill be amended so that the fringe benefits authorized for employees covered thereunder will be granted under regulations of the CSC or such other agency as presently has jurisdiction of the particular benefit involved.

Section 6 of the bill proposes that agencies count an employee employed in a flexible hours position for purposes of personnel ceiling

requirements on a pro rata basis according to the percentage of hours such employee works in each 40-hour workweek. The existing Office of Management and Budget policy with respect to agency personnel ceiling requirements on counting part-time employees is set forth in sections B-2 and B-3, Appendix B to Chapter 312, Federal Personnel Manual, 1969 edition, as follows:

"B-2. CEILINGS AS CONTROLS

"a. Two kinds of ceilings are established. These are (1) full-time permanent employment and (2) total employment. By subtracting (1) from (2) the difference, called a 'derived ceiling', becomes, in effect, a limitation on the number of part-time, temporary, and intermittent employees. Since all ceilings apply to the last day of each fiscal year, June 30, the agencies have flexibility in applying these ceilings, within the year, particularly with respect to the nonfull-time employment.

"b. All employment is subject either to the actual full-time employment ceiling or to the derived ceiling. All employees in each category of employment must be included in the monthly employment reports which are furnished to the Congress and which the Committees of the Congress, the President, and the Office of Management and Budget use to monitor administration of the ceiling requirements.

"c. Most agencies understand clearly how requests for revisions in employment ceilings must be submitted to the Office of Management and Budget and what thorough justification must be advanced to support an asserted need for additional employment. (See OMB Circular A-64 and its revisions.) Misunderstanding has, however, arisen from time to time with respect to part-time employment.

"d. For purposes of this discussion, a part-time employee, regardless of the nature of his or her employment, is one who works less than 40 hours a week. The employment may be regular and recurring (loosely referred to as 'permanent'); it may be for a temporary period; or it may be intermittent in the sense that the person works only when called in, but it is still the kind of employment which is subject to the derived ceiling.

"B-3. CEILING SPACES TO MEET NEEDS FOR PART-TIME EMPLOYEES

"a. The Office of Management and Budget states that if persons seeking regular, permanent, part-time jobs have been told that it is impossible to offer this kind of employment because each position of this kind must be charged against the full-time permanent ceiling, they have been incorrectly advised. The first course of action that an agency should always explore is to determine whether the assigned total employment ceilings are large enough to accommodate a desired part-time program. Part-time employees can be hired against vacancies in the derived ceiling as well as against vacancies in the full-time permanent ceiling. These hirings against vacancies can be carried out without recourse to the Office of Management and Budget.

"b. If however, the derived ceiling is not high enough to meet an agency's legitimate needs for part-time employment, an attempt should be made to accommodate the part-time employee within the full-time permanent ceiling. If this accommodation is not possible, an application to the Office of Management and Budget for the conversion of spaces from the full-time permanent ceiling to the derived ceiling to permit splitting full-time jobs would normally receive favorable consideration upon request. In other words, the application of the ceiling need not always force an agency to count a part-time employee as the equivalent of a full-time employee or reduce the total man-hours of employment available to an agency."

We believe that a rigid designation of prescribed percentages of each and all levels of positions in the executive branch of the Government as flexible hours positions would prove to be an administratively impractical approach to the objective of insuring that professional, technical, clerical, supervisory and support positions are freely available to part-time workers. We note that as of April 30, 1973, there were 2,732,023 positions in the executive branch of the Government (Federal Civilian Manpower Statistics, United States Civil Service Commission, June 1973), of which 2,432,350 were permanent full-time positions and 129,322 were part-time, regularly scheduled positions. Since the numbers and grade levels of this magnitude of positions located in all 50 states and numerous foreign countries is subject to constant variation we believe it is not feasible to require, as S. 2022 proposes, that at all times a specified percentage of each level of all positions be designated and set aside for part-time employment.

Sincerely yours,

*Paul B. Staehling*  
For the Comptroller General  
of the United States

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LAW DEPARTMENT  
Washington, DC 20260

September 25, 1973

Dear Mr. Chairman:

This is in response to your request for the views of the Postal Service on S. 2022, the proposed "Flexible Hours Employment Act". This bill would require each executive agency of the United States Government, including the United States Postal Service, to make an increasing percentage of positions available on a part-time basis for persons who cannot work or do not desire to work full time.

We oppose the application of this bill to the Postal Service, because it would interfere with collective bargaining between postal management and organizations of postal employees.

In general, the Postal Reorganization Act patterned labor-management relations in the Postal Service after those existing in the private sector of the economy under the National Labor Relations Act. Chapter 12, title 39, United States Code, provides for the establishment and recognition of bargaining units of postal employees and for the negotiation of collective-bargaining agreements between these bargaining units and postal management. Moreover, Congress expressed an intent that postal collective bargaining should cover the full gamut of issues negotiated by labor and management in the private sector of the economy. In its report on the Postal Reorganization Act, the House Committee on Post Office and Civil Service said:

. . . Rank and file postal employees would, for the first time, have a statutory right to organize collectively and to bargain collectively with management on all of those matters -- including wages and hours -- which their neighbors in private industry have long been able to bargain for.  
H. R. Rep. No. 91-1104, 91st Cong., 2d Sess. 13-14 (1970).

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The employment of part-time workers has long been a matter for negotiation in private labor relations, because such workers often occupy jobs which might otherwise be filled by union members employed on a permanent basis. Similarly, both postal unions and postal management have taken aggressive bargaining positions on what number of part-time postal workers should be hired and what positions they should fill. The current contract provisions, achieved as a compromise between union and management views, direct that 90% of postal craft employees must be hired on a full-time permanent basis.

We feel that it would be entirely inconsistent with the legislative purposes of the Postal Reorganization Act to restrict the scope of the issue of part-time employment as a subject for collective bargaining in the Postal Service. Although the policies that would be established by S. 2022 may be commendable, we would oppose their application to the Postal Service unless a decision is made to make such policies applicable to employees in the private sector who bargain with their employees. Accordingly, we oppose the enactment of S. 2022, in its present form, and urge that it be amended so as to make it inapplicable to the Postal Service.

Sincerely,

  
General Counsel

Honorable George W. McGee  
Chairman, Committee on Post  
Office and Civil Service  
United States Senate  
Washington, D.C. 20510

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*American Federation of Government Employees*



AFFILIATED WITH THE AFL-CIO

CLYDE M. WEBBER  
NATIONAL PRESIDENT

DENNIS GARRISON  
EXECUTIVE VICE PRESIDENT

DOUGLAS H. KERSHAW  
NATIONAL SEC.-TREAS.

NATIONAL HEADQUARTERS  
1325 MASSACHUSETTS AVE., N.W.  
WASHINGTON, D.C. 20005  
(202) 737-8700

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STATEMENT OF CLYDE M. WEBBER, NATIONAL PRESIDENT  
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES  
BEFORE THE SENATE COMMITTEE ON POST OFFICE AND  
CIVIL SERVICE ON S. 2022, A BILL PROVIDING  
FOR FLEXIBLE HOURS

September 26, 1973

The American Federation of Government Employees, AFL-CIO, is vitally interested in providing as much flexibility and opportunity as possible to all classes of persons to obtain employment. For this reason, our union looks favorably upon underlying purposes incorporated in S. 2022, a Bill introduced by Senator Tunney to provide increased employment opportunity by executive agencies of the United States government for persons unable to work standard office hours and for other purposes.

The Federal executive branch already provides part-time employment under two separate provisions of law. One relates to basically seasonal employment, such as the summer employment of large numbers of students who work less than 700 hours a year; the other is under a provision of law providing for part-time employment of persons who work less than 40 hours a week. In addition, flexibility is provided the Federal government in the employment of part-time employees who are compensated on the basis of work "when actually employed."

Consequently, in considering S. 2022, our organization believes it is incumbent to bear in mind existing provisions for flexibility in providing flexible hours for persons who cannot work normal hours

TO DO FOR ALL THAT WHICH NONE CAN DO FOR HIMSELF

AFGE

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or whose services are not required by the Federal authorities during standard hours, days or weeks of employment.

THE PRINCIPLE OF A FLEXIBLE CAREER SERVICE

Despite our endorsing the purposes of providing flexibility of working hours, we do have reservations about S. 2022 which arise out of our concern for the career aspects of Federal employment. We believe that it would be in the interests of all persons who would be the intended beneficiaries of this Bill that it be amended so as not to erode the career protections now existing in law. Your Committee will recall the abuses that existed in the Federal service from the employment of persons on Temporary Appointments Pending the Establishment of Registers. We fear that some of the provisions of this Bill might enable some of the less scrupulous personnel administrators to resuscitate the system that existed under the old TAPER program.

However, once an employee has achieved full career status and is entitled to the full protections of the law, we believe that situations might arise where changed conditions in the life of the career employee justify flexibility. For example, in a Reduction-In-Force situation, some of the employees would be prepared to go to a part-time career status, thus accomodating both the pressures on management and on other employees while the agency adjusted its work force.

We are also concerned with two other provisions in S. 2022 which might create greater managerial inflexibilities than exist today. The first is the assignment of enforcement responsibilities

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to the Secretary of Labor, rather than to the Civil Service Commission which is responsible for the supervision of most of the other statutes concerning Federal employees. Rather than providing for efficient flexibility, this division of responsibility may result in conflicts of authority. The second is the mandatory requirement that 10 per cent of the work force be in status of flexible hours of work.

Considering the existence of other part-time employment arrangements, it is apparent that in some agencies a considerable portion of the of the work force already is in "flexible" status. To add another ten per cent to the existing situation would impose a rigid system based on law, which some agency managements could use to manipulate the work week and conditions of employment of Federal employees to their detriment.

Under these conditions, we believe that S. 2022 should be amended to assure that the desirable flexibility which it affords is not exploited to deprive career Federal employees of the clear and firm rights they now have based on statutes for which they have fought for a long time.

In our belief, the best road to flexibility is the road to collective bargaining, such as incorporated in S. 351, introduced by the Chairman of this Committee to provide a statutory basis for collective bargaining in the Federal Service.

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**American Postal Workers Union, AFL-CIO**

B17 14TH STREET, N. W., WASHINGTON, D. C. 20004

September 27, 1973

Honorable Gale W. McGee  
Chairman  
Committee on Post Office and Civil Service  
United States Senate  
Washington, D. C.

Dear Mr. Chairman:

The American Postal Workers Union, AFL-CIO wishes to advise you and, through you, the members of your honorable committee, of our viewpoint concerning S. 2022, The Flexible Hours Employment Act introduced by the Honorable John V. Tunney, United States Senator from California.

We have examined the provisions of this proposed legislation and, while we are sympathetic with the avowed purposes of the legislation, we strenuously object to that part of the legislation which proposes to include the U.S. Postal Service within the purview of the Bill. As I am sure you and the members of your honorable committee know, flexible hours of employment exist not only in the U.S. Postal Service since its creation, but existed for many, many years in its predecessor organization, the U.S. Post Office Department. Both the former U.S. Post Office Department and the present U.S. Postal Service have had, and continue to have, available flexible hours of employment which exceed the 10 percent requirement proposed in this legislation and, thus members of your committee may wonder why we object to the inclusion of the U.S. Postal Service in this piece of legislation.

While it is true that far more than 10 percent of the postal employee population are employed for less than 8 hours per day or 5 days per week, it is also true that this Union has consistently advocated that more full-time regular positions should be established by the U.S. Postal Service. The present Labor Agreement signed by the Postal Unions and the U.S. Postal Service on July 20, 1973 spells out a limitation of 7 percent of the total work force to be known as Casual Employees with a term of employment not to exceed 90 days in any one calendar year, and no minimum or maximum required number of hours per day. Based on a postal population of approximately 700,000 this section of our Labor Agreement alone permits the employment of up to 49,000 such Casual Employees. In addition, another section of our Labor Agreement permits the U.S. Postal Service to employ in offices of 200 man years or more up to 10 percent of each post office complement of full-time regulars, flexible part-time employees who are part of the permanent work force whose hours are set at a minimum of 2 hours per day when scheduled for duty, with

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no limitation as to the total hours per day or days per week. In all other post offices there is no actual limit on the number of flexible part-time employees.

Realizing that 65 percent of the postal employees are employed in post offices of 200 man years or more, this again affords the U.S. Postal Service an opportunity to make available easily 50,000 or more part-time flexible positions. We can assure you that the U.S. Postal Service avails itself of this opportunity.

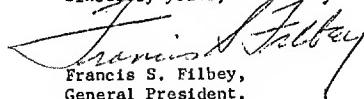
With this large flexible work force permitted under our Labor Agreement your honorable committee might again raise the question "Why does our Union oppose the inclusion of the U.S. Postal Service in this piece of legislation since should the legislation be adopted, it would merely require the U.S. Postal Service to make available some 70,000 part-time flexible work assignments." We oppose the legislation because it is our considered opinion that the passage of the Postal Reorganization Act granted unto postal employees' recognized bargaining units the right to negotiate with the U.S. Postal Service a labor contract covering wages, hours, fringe benefits and working conditions. The passage of this legislation would dilute the bargaining rights granted the Postal Unions under the Postal Reorganization Act in that we could never negotiate with our employer the elimination of part-time flexible work assignments below the statutory figure proposed in this pending legislation. We sincerely believe that the determination as to the number of such part-time flexible positions necessary to properly operate the U.S. Postal Service should continue to be a matter for negotiations between our employer and our Union.

For the Committee's information, we wish to advise that we have had a long experience with the influx of part-time temporary employees into the former U.S. Post Office Department wherein it was not uncommon for the former Post Office Department to have, in addition to the then regular quota of career part-time employees (which was then a ratio of one to five or 20 percent) from time to time as many as 100,000 additional part-time temporary employees added to the work force, thus denying to thousands of persons an opportunity to gain a full-time career position with the U.S. Post Office Department.

In short, Mr. Chairman and Members of the Committee, it is our prayer that the inclusion of the U.S. Postal Service in this pending legislation will be stricken from the Bill in order that the promise made in the adoption of the Postal Reorganization Act that matters of this type would be the subject of collective bargaining between the Postal Unions and the U.S. Postal Service without any Congressional floors or ceilings proposed by legislative action may be kept.

We appreciate this opportunity to express our views to you and to your honorable committee on this most important matter.

Sincerely yours,

  
Francis S. Filby,  
General President.

FSF:gd.

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The CHAIRMAN. John, it is nice to have you here and to applaud you for your leadership and initiative in focusing attention on this measure, so proceed as you best see fit.

**STATEMENT OF HON. JOHN V. TUNNEY, A U.S. SENATOR FROM THE STATE OF CALIFORNIA**

Senator TUNNEY. Mr. Chairman, thank you very much for giving me the opportunity to appear today and I deeply appreciate the fact that you, as chairman of the committee, scheduled hearings on this legislation on what I know was short notice, and the fact that you have so many other bills that are before your committee, I realize how difficult it was to squeeze in this legislation.

I am very appreciative to you for doing it. I know you are a hard worker, but I have a feeling you are a glutton for punishment, and I want to thank you very much for this effort.

I feel that this legislation is very important. This legislation would make possible more fulfilling working and family lives for thousands of Americans and help end the discrimination, particularly against women with children, imposed by the basic pattern of working hours in our society.

This bill would institutionalize the practice of providing flexible hours employment opportunities in the Federal Civil Service. As these flexible hours personnel practices are systematically implemented, the Federal Government hopefully would serve as a model to be emulated by private and other public employers.

The prime beneficiaries would be working parents, particularly working mothers, and men and women approaching retirement age who still have much to contribute and want to gradually end full-time work, rather than abruptly retiring.

Also benefiting would be those pursuing educations, from the high school through the graduate and professional school levels, and those temporarily or permanently disabled.

Over the long run, as flexible work scheduling becomes institutionalized in our society, I believe it would enhance the quality of the working family lives for countless citizens.

The legislation provides that, wherever feasible and after a 5-year phase-in period, 10 percent of all positions at all levels of Federal Civil Service shall be made available on a "flexible hours" basis. A "flexible hours" job is one which provides a permanent, responsible position with standard civil service protections and prorated fringe benefits, but which allows people to work hours consistent with their parental responsibilities, physical limitations, or educational requirements.

The flexible hours concept has been successfully used by Federal agencies in the past. Unfortunately, these efforts were small in scale and administered strictly for the convenience of the agencies involved. Some local governments have provided flexible hours scheduling with great success in such diverse areas as education and welfare administration. Many employers in the private sector have discovered that structuring working hours to meet certain special needs of their employees has resulted in benefits to both themselves and their staffs.

An obvious question that one might ask is, "Why require flexible hours employment by law, when it is already available in some Fed-

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eral agencies?" The answer is that the personnel policymakers in the Federal Government have taken a far too narrow view of their responsibilities to the American people. Rather than encouraging the use of creative work-scheduling to enhance the attractiveness of Federal employment, they have used interpretations and misinterpretations of the Office of Management and Budget and civil service regulations as excuses for inaction.

At the conclusion of my testimony, I would like to insert into the record a letter from Ms. Daisy Fields, chairman of the legislation committee of a group called Federally Employed Women. This letter explains in some detail how many Federal agencies have hidden behind various interpretations of OMB and civil service regulations to assert the impossibility of stimulating flexible employment opportunities.

The CHAIRMAN. That will be made a part of the record.

Senator TUNNEY. Another reason for requiring that agencies set aside a proportion of all positions for flexible hour opportunities also relates to the narrow perspectives of many personnel policymakers in the Federal Government. These people typically view flexible hours as a gimmick to be used for the temporary convenience of the agency and then abandoned whenever it suits the agencies' fancy.

At various times over the last 8 years, the Atomic Energy Commission and the Departments of Health, Education, and Welfare and of Housing and Urban Development have implemented and then abandoned special programs to employ professionally trained women on a less-than-full-time basis. Those I have talked with in the Federal Government all agree these programs were successful. Nevertheless, they were eliminated.

A similar problem prevails with respect to official attitudes toward grade levels and flexible hours scheduling. S. 2022 calls for provision of flexible hours opportunities at all grade levels, except in those specific cases where the Secretary of labor finds such provision infeasible. This provision was included to offset the demonstrated disposition of Federal personnel officials to concentrate flexible hour opportunities in nonprofessional and lower level positions.

I believe it is necessary and important to encourage creative work scheduling at all levels. The bill recognizes that special difficulties may arise in certain agencies and at certain levels by encouraging efforts to eliminate these difficulties while allowing the Secretary to make exemptions where necessary. The burden of proving infeasibility is, however, where it should be—on the shoulders of employing agencies.

Mr. Chairman, I earlier pointed out the benefits of this bill to working parents, especially mothers of young children, to civil servants approaching retirement, to the disabled, and to those who must work while continuing their education. In addition to expanding work opportunities for the millions who fall into these categories, the programmatic implementation of flexible work scheduling in the Civil Service would benefit the Federal Government and the American taxpayer.

In the interest of time, I will briefly list and explain the many ways flexible-hours employment benefits the Government and the taxpayer. Substantiations and elaboration of these points is provided in the articles I would like to have inserted in the record at the conclusion of my testimony.

The CHAIRMAN. They will be inserted in the record.

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Senator TUNNEY. First, by vastly expanding the available quantity of less-than-full-time positions, the Government's ability to choose highest quality applicants is significantly increased. Mr. William Lewis, placement manager for Career Blazers Agency, Inc., a large New York employment service, reports that he receives "five times as many responses for a part-time job as for a comparable job full time. Adele Lewis, president of Career Blazers, has found that, "For many jobs, the best people on the market are people who want to work part time."

It seems self-evident that as the demand for less-than-full-time jobs grow—the number of people working part time increased from 7.8 million in 1963 to 12.6 million in 1972—the Federal Government effectively forecloses its access to a significant and highly productive source of talent if it fails programmatically to promote flexible-hours scheduling.

Second, there is substantial evidence that less-than-full-time workers are more efficient and productive than those in comparable full-time jobs. Testimonials from many employers demonstrate that employees working flexible-hours schedules show more enthusiasm for the job, are less distracted by family and other outside responsibilities, and do not develop the counterefficient boredom that often comes with standard hours employment.

Third, if this bill were adopted, many highly experienced, expensively trained civil servants approaching their final years of Government service would choose to stay on in a less-than-full-time capacity rather than retire early.

Similarly, the Government would be able to retain the services of other experienced employees who, for reasons of new family obligations, educational needs, or disabilities, must now withdraw from public service because they can no longer work full time.

Finally, by providing increased employment opportunities to people continuing their education, the Government gets increased access to knowledge of new ideas and developments as they evolve in the various academic disciplines.

It is difficult to put a dollar sign on the total value of these benefits. Clearly, however, they easily outweigh the relatively minor costs of administering implementation and oversight of a flexible-hours program such as provided in this bill.

Mr. Chairman, you may have noticed that S. 2022 departs from conventional procedure in that it assigns administrative and oversight responsibilities to the Department of Labor, rather than the Civil Service Commission. This was done at the suggestion of many Federal employees I talked with who felt that the Civil Service Commission is a rather narrowly focused, management-oriented agency whose disposition would be to resist and frustrate the provisions of this bill. The Commission's lack of leadership on flexible hours supports this supposition. The Labor Department, on the other hand, has a solid record of advocacy on behalf of employee rights. It has shown itself by its own internal personnel programs to be ready and uniquely able to insure the success of flexible-hours programs throughout the Federal Establishment.

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In closing, let me say that flexible-hours scheduling in public employment is beyond doubt an idea whose time has come. West Germany, France, Finland, and Denmark all have national legislation providing flexible-hours opportunities in the public service.

In 1963, the President's Commission on the Status of Women recommended that the Federal Government lead the way by establishing a permanent structure of less-than-full-time job opportunities in Federal agencies. The Civil Service Commission spoke of the same need in its booklet "A Point of View." The Department of Labor has also endorsed the concept in the publication "Calling All Women."

So far, we have had many nice words and very little action from the executive branch. Whatever problems exist are those of means, not ends. I sincerely hope this committee will give most thoughtful consideration to S. 2022.

Although it may not be perfect, it is clearly a constructive first step toward improving the quality of our working and family lives.

The CHAIRMAN. I want to thank you for your efforts on this, Senator. You strike a very responsive note here on the committee. I think one thing that would give the committee trouble, leaving out all the emotional factors at the moment, is the function of the bureaucratic part, the part concerning the Department of Labor. I understand the reason for it. You get more receptive climate at the moment there. I would call into question whether that is necessarily good Government structuring to spread the base or diversify the base. I can understand the expediency. We all sense that.

We also have a responsibility, if we can, as we contribute to it, to try to tighten up our whole administrative infrastructure in terms of good and efficient administration. I would wonder if it perhaps would not be better advised if we focus our efforts on trying to modernize and update and increase the base and philosophy of the Civil Service Commission. In other words, address to the Commission the problem of educating, rather than taking on the problem of restructuring the current procedures to get around a point of view whose time has long since passed. That would be, I am sure, a serious question that the committee members will concern themselves with.

Senator TUNNEY. I can understand that, Mr. Chairman. I share some of your concerns. I feel that it is important that the program be implemented in a way that is going to make it effective.

It does not do any good to have a program on the books if the agency that is administering it really is opposed to it and thereby will not make sure that the various agencies are responsive to the thrust and the intent of the legislation.

Now, just one or two points in addition. I think it ought to be made very clear that the individuals who will be working on the flexible-hours basis, part-time basis, will have all the benefits of career civil servants. They are not civil servants who are there on a temporary basis and do not share thereby in the benefits of a career civil service appointment. I think that that is important, because some people are wondering whether or not what we are attempting to do is to create a situation where these part-time workers would not have all the benefits of career civil servants. That is not the intention.

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We want them to have the benefits of career civil servants. We recognize they will be working part time.

A second aspect of it that I cannot help but feel from my own personal experience and having had the opportunity as a Senator and before being a Senator as a Congressman to hire people on a part-time basis to do specific jobs for me that my office has benefited tremendously, and my legislative production has increased. I think that the quality of effort of my office has been improved as a result of having these part-time employees, and they should not be looked upon somehow as second-class citizens because they are only working part time. After all, if you take a look at some of the top executives of our major industries in the country, really, they work part time.

The CHAIRMAN. They are paid full time.

Senator TUNNEY. They are paid full time and work part time. They make the final decisions. Sometimes these final decisions can be made working 1 or 2 days a week, if they have proper staffing below them.

I do not want people to think that what we are attempting in this legislation is to create two castes of civil service employees, one caste being the full-time employees who are sort of superior variety, and a lower caste, the part-time—

The CHAIRMAN. The untouchables, in other words.

Senator TUNNEY. Yes.

The CHAIRMAN. We will go through this very carefully. We certainly agree it is an idea whose time not only has come but is begging for attention.

We will try to meet our responsibilities in not ducking the question or shunting it aside or disguising it in rhetoric, but rather, to come to grips with it.

Senator TUNNEY. Thank you, Mr. Chairman. Thank you for the opportunity to appear before you this morning.

[The aforementioned letter and articles follow:]

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FEDERALLY EMPLOYED WOMEN

An Organization for Opportunity and Equality for Women in Government

Founded in 1968

April 5, 1973

Honorable John V. Tunney  
United States Senate  
Washington, D.C. 20510

Attention: Mr. Larry Ash

Dear Mr. Ash:

Federally Employed Women (FEW) is pleased to have the opportunity to submit our views in connection with your study of the Federal program for part-time employment for women.

For the past decade studies concerned with the employment of women have stressed the need for more part-time jobs and flexible work schedules. The President's Commission on the Status of Women recommended in 1963 that the Federal government lead the way in the imaginative use of women's skills and that part-time jobs be established in Federal agencies. In 1967 the Federal Women's Award Study Group made the same recommendation in its report on the status of women in Federal employment. More recently, the Civil Service Commission spoke of this need in its booklet "A Point of View," and the Women's Bureau publication "Calling All Women" did the same.

Between 1965 and 1970 three agencies established special programs to employ professionally trained women less than full time. The Atomic Energy Commission was the first to do so in 1965; HEW and HUD followed later. To our knowledge all the programs were successful. However, it has come to our attention that though the need for part-time jobs is greater than ever, the three programs are being phased out.

Enough the Civil Service Commission and the Office of Management and Budget have stated that agencies have the discretion to establish such programs within their total ceilings, no agency has given the program the type of leadership that would encourage management to in fact make the effort to identify specific slots for part-time jobs.

One concern of agencies is that if they convert jobs from the full-time ceiling to the derived ceiling, they will be penalized by OMB in terms of their future full-time ceilings. Needless to say, they are reluctant to take this risk.

A second problem is that too often part-time jobs are viewed as feasible only if two people can be found to fill the single full-time slot. This is not required by the Civil Service

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Commission and OMB guidelines, and it also limits what jobs are established. The part-time job programs at the three agencies mentioned above did not structure their programs to require two people for each job, and we believe that is why they proved successful.

FEW believes that a complete review of the AEC, HEW, and HUD programs would be helpful in developing guidelines for Federal part-time jobs. We further believe that instead of continuing to count people and part-time jobs, it might be preferable for an agency to identify part-time jobs by manhours for a percentage of its total workforce.

For example, an agency should be authorized to fill one percent of its total manpower on the basis of hours. Thereby, an agency with 10,000 positions would be permitted to convert 100 of these positions into hours. This would provide 4000 hours that could then be filled by people working varying numbers of hours per week - 30, 20, or fewer, depending on the job and the needs of the agency. Employees hired on this basis would have regular work schedules and would be required to meet whatever standards are applicable to full-time employees. This system would permit greater flexibility in recruiting for specific skills to meet specific and perhaps short-term needs. This would also eliminate the pressure on management to employ two people for a particular job.

At the present time OMB does not permit agencies to convert positions into eight-hour slots. FEW believes that if agencies were authorized to fill a percentage of positions on the basis of hours and not people, management would be more receptive to initiating a program of part-time jobs.

In many agencies there are positions requiring very special skills on a less than full-time basis. A program of part-time employment, imaginatively conceived and supported by the CSC, OMB, and the Congress would go a long way towards meeting the needs of the Federal government and of women.

The lack of direction and support from the CSC and OMB in this area leads us to the conclusion that leadership must come from the Congress. We urge legislation authorizing agencies to allocate a percentage of total jobs to be filled on the basis of hours, rather than on total number of bodies.

Please do not hesitate to call on us if we can be of further assistance.

Some background material about FEW is enclosed for your information.

Sincerely yours,  
Daisy B. Fields  
Chairman, Legislation Committee

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EMPLOYEES, EMPLOYERS BOTH DISCOVER THE JOYS OF PART-TIME POSITIONS—MOST WORKERS WORK HARD, SEEK FEW FRINGE BENEFITS, ENJOY THEIR FREE TIME

LEAVE THE RAT RACE—SORT OF

(By Roger Ricklefs)

Rena Lemberg turned down seven offers for full-time jobs before she got what she really wanted: the same kind of work part-time.

"Full time, this job would be boring, but part-time it's fun," says the 23-year-old New York office assistant. "The job keeps me going and leaves me time for the other things I want to do," adds Mrs. Lemberg, who previously worked as a full-time secretary.

Rising numbers of workers like Mrs. Lemberg are turning to part-time or temporary jobs or free-lance arrangements. They like this alternative to a nine-to-five day, and so do their employers, who are discovering that these legions can provide an excellent source of high-quality help—often at low cost because many don't expect many fringe benefits. "For many jobs, the best people on the market are people who want to work part-time. The companies that go along with this are getting good people," says Adele Lewis, president of Career Blazers Agency Inc., a large New York employment concern. William Lewis, a placement manager at the agency, adds that Career Blazers gets "five times as many responses for a part-time job as for a comparable job full time."

Indeed, the supply of people who want to work part of the day vastly exceeds the demand even though the demand is rising rapidly. Thus, most work hard to keep what they consider to be an ideal arrangement, their employers say.

QUILL PENS AND FLAGPOLES

At the end of last year, a record 12.6 million Americans were working part-time, up sharply from 7.8 million in 1963 (the first year comparable statistics were kept), the Bureau of Labor Statistics reports. Part-timers have accounted for more than one-third of the total gain in the nation's work force since 1963, and they now make up 14.4% of the working population, the Bureau's statistics show. The growth stems partly from the rising number of wives who want to work—but not all day—and from an increasing number of young part-timers.

At the same time, agencies that specialize in finding temporary employment say their business is growing fast too. And companies say they are making increased use of free-lancers for all sorts of assignments. Though no precise figures are available, possibly three million Americans now do full-time or part-time free-lance work from their own houses, estimates Leon Henry Jr., publisher of Home Office Reports, a newsletter for people who work at home.

These jobs at home range from typing services to making quill pens and flagpoles to running a jogging club, Mr. Henry says. "A lot of people just like doing things their own way and not commuting," says the publisher, who also operates an advertising promotion service from his home in suburban Scarsdale, N.Y. "Not all the horses in China could drag me to work in New York City," he adds.

"GENERALLY DO A VERY GOOD JOB"

Some concerns find that the current economic recovery makes alternate forms of employment particularly useful right now. "Many companies coming out of the recession are reluctant to build up their permanent staff on the first brightness, so they hire temporaries to meet the increase in workload," says Frank McBride, executive vice president of Kelly Services Inc., the big temporary-help concern based in Detroit. The company, which operates "Kelly Girls" and other services, says its volume climbed to about \$80 million last year, up nearly 30% from 1971.

If the employees like working part-time, or some time, so, too, do their bosses like the arrangements. In San Francisco, a man at Bank of America says part-timers are "extremely helpful in meeting peak-hour demand" because they often want to work during those midday hours when bank lines are longest. The bank currently employs 11,000 part-timers, up from 6,000 five years ago; these workers now account for more than 25% of the bank's labor force.

Chemical Bank of New York boosted its staff of such workers to 564 at the end of last year from 310 a year earlier and expects a further 50% gain this year, Scarborough Smith, assistant secretary in charge of employment, says.

These workers have a slightly better record than other employees on absenteeism and turnover and "generally do a very good job," says Raymond Farrell, assistant treasurer in charge of a big clerical operation.

FRINGE BENEFITS? WHO CARES?

Chemical is experimenting with a pilot project called "Chem Temp," which one official says cuts labor costs in his office 50 cents to \$1 per hour. "Chem Temps" are hired by the bank but carried as employees of a temporary labor contractor. The bank uses the workers for the exact number of hours they are needed—and avoids paying fringe benefits. These benefits, paid to other employees who work 20 hours or more per week, equal 24.8% of salary, the bank says.

Labor unions cringe at such arrangements, and it is no coincidence that the use of part-timers generally is strongest in industries where unions are weakest. (Chemical has no clerical union at all.) But many workers are quite willing to forfeit fringes to get part-time jobs. "Benefits don't matter to me because I get all that through my retirement," says Irene Canfield, who joined the Chem Temp program so she could work part-time. "I wanted to keep active, to be around people. You get to be a vegetable if you don't," adds the clerk, who worked nearly all her adult life at the Federal Reserve Bank of New York.

Though Miss Canfield supervised over 30 clerks at the Fed, she is glad now to work as a routine clerk at \$2.25 an hour. "I don't mind having less responsibility. Besides, at my age, you can't be too particular, you know," explains the vigorous-looking 66-year-old.

While part-time work is growing fast in the clerical and retailing fields, it is also expanding in the professions. Newtime Employment Agency Inc., New York, specialists in part-timers, says it has placed eight lawyers in part-time jobs in the past two years and has another 50 registered as seeking such work.

The agency is also promoting use of "Newtime," a schedule similar to the standard school day and thus popular with working mothers. "If Madame Curie were alive, and only able to work from 9:30 to 3:15, would you hire her?" asks a Newtime brochure.

Some believe corporate moves to the suburbs are also of spurring the part-time trend because much of the suburban work force consists of mothers who want to work only part of the day. The Progressive Corp., an insurance holding company that plans to move from downtown Cleveland to a suburb, is considering using part-timers for as much as half of the new office's labor force, up from less than 5% at present, David N. Hyde, vice president, says.

In a random survey of Cleveland suburban women that the Newtime agency conducted for Progressive, 89% of the respondents who were working or who wanted to work preferred a permanent part-time schedule to any other deal. Indeed, only 40% of these respondents were even willing to work full time. Though Progressive hasn't made any final decision on work schedules, it figures part-timers may allow the office to stay open much longer hours, Mrs. Hyde says.

While millions choose part-time work because they want more for their children, a growing minority of such workers simply want to work less. They often consider part-time work as an economically feasible half-way house between the "daily rat-race" and "dropping out."

"I want as much free time as possible," says Marce Poilan, a recent University of Michigan graduate who is seeking part-time secretarial work in New York. "I'd work full-time only if I really needed the money or really liked the work, but I'd do almost any job part-time," she says.

EXECUTIVES, TOO

(Such workers often become masters of bargain living in order to keep their free time. Miss Poilan says she shares a third-floor, \$125-a-month Greenwich Village walk-up apartment whose two bedrooms are five feet wide. "It's a hole—really a tiny place," she concedes. "I don't know how I could live in New York on less than \$160 a month," she says with a sigh. "Of course, \$250 would be plenty.")

Kelly Services' Mr. McBride reports: "We're getting more and more people who simply want to work less and have more free time." The number of young people "who work a year in New York, then go to another city for six months" is growing particularly fast, he says. "They're usually very good. They're young, they're often skilled, and they realize they do have to work," he says. The company frequently just ships their records along to its branch in the new city, he adds.

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But executives, as well as youthful workers, are seeking temporary work. International Executives Inc. (Intex), founded three years ago to place executives in temporary jobs, says its offices in New York and Europe now list 1,500 job seekers, including 400 Americans. The supply of these job seekers still greatly exceeds the demand. But the new company says it has placed about 75 executives so far, mainly in specialized projects like making a market survey in a foreign country.

Though 60% of the registrants are simply out of work for one reason or another, many others are executives seeking an alternative work arrangement. "Dozens and dozens of executives come to us saying they are dissatisfied with their jobs and want to set up something part of the year so they can be on their own," says Arnold Hartpence, Intex president.

#### SOME PROBLEMS

But alternative work arrangements have their problems, too. "A lot of part-timers won't stay in the job very long," reports Mr. Lewis of Career Blazers. "But you can tell a lot by their background, and you just have to screen them out carefully."

Also, some companies find that certain jobs just don't lend themselves to unusual schedules. The Premium Ventures division of Bantam Books Inc. of New York late last year terminated an arrangement that had three office employees working part-time.

The division, which arranges the use of paperback books in sales promotions, laid off two of the workers and kept another full time. A spokesman declines to comment on the change, but John Sedlak, one of the laid-off workers, says: "The jobs really did have to be manned continuously all day. When one woman left at 3 p.m., somebody had to take over her functions, and the passing of the baton was always a little awkward."

#### PART-TIME PROFESSIONALS: MORE WELL-EDUCATED WOMEN FIND FIRMS WILLING TO HIRE THEM FOR LESS THAN FULL-TIME EMPLOYMENT

(By Gail F. Bronson)

Last year, Frances Loughran was caught in a dilemma: After 20 years of marriage and child rearing, she yearned to take advantage of her previous training as a psychologist.

"At the same time, I didn't want a job that wouldn't leave me with the time necessary for my family," says Mrs. Loughran, who lives in Westchester County, N.Y., with her husband and eight children.

She solved her problem by landing a part-time job as a market researcher with Educational Records Bureau, a New York company that does testing for private schools. "I get a sense of satisfaction by working as a professional, yet my hours are flexible enough that I have time for the rest of my life," says Mrs. Loughran, who holds a Master's degree in psychology from Fordham University.

Such a solution isn't unique. A growing number of women, who want to utilize their professional backgrounds but who don't want careers that could consume most of their time and energy, are looking for stimulating part-time work. And employers, noting this previously untapped reservoir of womanpower, are finding a surprising array of jobs, ranging from managing offices to editing and legal work, that can be handled by women on a part-time basis.

#### SOME WORK OUT BETTER

Until recently, the idea of hiring anyone as part-time professionals or managers—other than using the knowledge of consultants and, in some cases, retirees—was avoided as being too disruptive to work routine and simply causing administrative headaches. Lately, however, employers are finding out that "the woman with a professional background but who can't work full-time because of home responsibilities often works out better than regular employees," says Peter Powers, general counsel for the Smithsonian Institution, who has two part-time women attorneys on his staff.

Others agree. United Publishing Corp. of Washington, for instance, used 54 part-timers (all women) among the 200 writers and researchers who recently put together its "New American Encyclopedia." Grayson & Associates, an Englewood, N.J., marketing concern, has a female office manager who works about 25

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hours a week. And the Atomic Energy Commission has at least one part-time professional—a female physicist—on the payroll.

"I prefer working with part-time women. The mind doesn't have to be in an office 40 hours a week to be creative, and many women seem to put in a lot more time thinking about their job than the number of hours they get paid for it," says Allan Kuler, vice president of United Publishing. Besides, he says, the company doesn't have to pay fringe benefits to part-timers; these usually lift labor costs by at least 6% above salaries.

Peter Lewis, president of Progressive Insurance Co., Cleveland, is also staunchly pro part-timers. He says that after experiencing the enthusiasm of women clerks working part-time, he's going to begin hiring females as claims adjusters, underwriters and "the entire work schedule permitting women to be on five-hour shifts. Why not use these talented, motivated and well-educated people?"

#### FEAR OF WORKING MOTHERS

Not everyone shares that attitude. The trend thus far appears limited primarily to small companies that are perhaps more flexible in their personnel policies because of relatively limited number of employees. Then again, some employers fear working mothers—whether full-time or part-time—will miss more time than co-workers because of sick children or other problems that could crop up at home. Also, some women claim "male chauvinism" is still a strong deterrent to hiring women in a part-time capacity for other than clerical or manual jobs.

"There's still tremendous resistance by many company officials to scheduling shorter hours for women," complains Vickie Kramer, who works with Options for Women, Philadelphia, one of a mounting number of organizations trying to get companies to loosen up their policies regarding "short-shift" women. "It's a gut reaction to thinking their wives might dare to go out and do a job similar to theirs on a part-time basis."

A good many husbands, though, apparently find their wives' jobs more therapeutic than threatening. "I think it's great. Working has improved my wife's frame of mind quite a bit. And it's good for the children not to depend on her all the time," says Jim Malaro, a physicist at the Atomic Energy Commission. His wife, Marie, is one of the Smithsonian's part-time lawyers. (Mr. Malaro himself works with the AEC's part-time female physicist.)

"Women usually aren't working part-time just to help support the family. Work is simply an important part of their lives. But you have to convince the top brass of companies that that's the case," says Fran Goldman, a founder of Distaffers, a Washington agency similar to Options for Women. (Mrs. Loughran, for instance, used her first paycheck from Education Records Bureau to buy a painting she had long admired.)

#### TRYING TO REACH EXECUTIVES

Some steps are being taken, though, to get the women's cause into the executive suite. Catalyst, a nationwide women's educational organization based in New York, recently received grants totaling \$300,000 from the Kellogg, Ford and Rockefeller foundations to draw up a program for the employment of well-educated women on a less than full-time basis. Catalyst representatives will begin approaching executives this month in hopes of bringing together companies interested in hiring such women and women who want such work.

To show the value of part-time women, Catalyst points to a study it made last year of 50 women working half-time as case-workers in Boston with the state department of welfare. The study shows the women actually had more face-to-face contact with the people they were aiding than did regular employes, they carried slightly more than half the case load of the full-timers, and their turnover rate was significantly below that of full-time case-workers.

Despite progress made thus far, however, those seeking more part-time professional jobs for women say that steps toward their goal are a good bit daintier than they would like. The major obstacle that must be overcome, they say, is getting giant employers, including the federal government, to pursue actively the hiring of women professionals on a part-time level. (In 1967, John D. Gardner, then head of the Department of Health Education and Welfare, initiated a project to attract women to part-time career jobs with the agency. When he resigned a year later, however, the program fizzled out.)

"The government is just one big employer that's ignorant of a lot of talent under its nose," says Felice Schwartz, Catalyst's president.

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## Part-Time Work in the Public Service

Marion JANJIC<sup>1</sup>

### Introduction

THE DEMANDS of a complete working day prevent the employment of various categories of workers—such as students, married women, or older or disabled persons—often representing a considerable labour potential, which is thus lost to the community. The idea that these persons should be afforded greater opportunity for part-time employment is now gaining ground.

At the same time experience in different places has shown that greater flexibility in the organisation of work, and especially in hours of work, is not necessarily incompatible with high output or the efficient operation of an undertaking. In a number of countries the system of free work schedules is becoming more common, enabling each employee, both wage and salary earning, to choose the most convenient hours.

Although these two systems—free choice of hours and part-time working—are by no means the same thing, they do both reflect the desire to allow for the workers' preferences and convenience. The system of free choice does not alter the status of full-time employee, combined with all the usual economic and social advantages this implies, but the system of part-time working remains ill-defined and sometimes results in the existence of a category of marginal workers without any recognised status or genuine legal safeguards.

A comparative study undertaken by the ILO<sup>2</sup> in 1963, which examined the situation of part-time workers and analysed legislation on the subject in some fifty countries, pointed to their precarious situation, especially in regard to employment security, unemployment insurance and pensions. Its conclusion was that it is difficult to safeguard equality of treatment and of employment conditions for part-time workers.

<sup>1</sup> International Labour Office.

<sup>2</sup> "An international survey of part-time-employment", in *International Labour Review*, Vol. LXXXVIII, No. 4, Oct. 1963, pp. 380-407, and No. 5, Nov. 1963, pp. 490-517.

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Since then nearly ten years have elapsed and for most of the countries dealt with in this article this period has been marked by a situation of full employment and even serious manpower shortages, offering relatively favourable circumstances for part-time employment. Under the pressure of this and other factors various governments have introduced provisions authorising state employees to work part time and regularising their status.

For various reasons it has been considered worth while to study these provisions and to attempt to determine certain general trends. Part-time work continues to be surrounded by lively controversy; without going into the detailed pros and cons put forward it may be mentioned that the opponents of part-time employment consider it to be incompatible with a normal career and fear that it may tend to result in the creation of a marginal class of manpower, bereft of job security and serving as a potential reserve for employers.

Employment security has always been considered as one of the prime advantages of the public service. Does this mean that part-time employment is feasible in the public service only because of this prior condition of employment security and, in more general terms, on account of the greater facilities available to governments in determining the conditions applying to their employees, or should it be seen, on the other hand, as proof that the incompatibility mentioned above is purely imaginary?

In other words, should the statutory provisions introduced in this way be regarded as the forerunner of what may become a normal situation in the future, with the State leading the way? Or do these attempts amount to nothing more than sporadic experiments with little chance of spreading further? This only the future can tell, but the experiments undertaken in this direction certainly call for closer acquaintance.<sup>1</sup>

The French Government has not concealed its intention of treating the Act of 19 June 1970 respecting half-time working by public servants as a trial venture. The report presenting the Bill<sup>2</sup> stated that its aim was "to undertake a limited experiment in an important and leading sector, with the possibility of general application if successful".

A further reason why these legislative provisions seem both timely and promising is that although, as described below, they are designed for the time being to cater for strictly defined needs of various categories of workers prevented temporarily from working full time, they nevertheless acknowledge a form of employment which may well be used increasingly often in the future for quite different purposes and specially to satisfy the

<sup>1</sup> In the Federal Republic of Germany federal legislation was enacted in this connection following the satisfactory results produced by legislation passed in the two provinces of Lower-Saxony and Baden-Württemberg.

<sup>2</sup> Report of the Committee on Constitutional Law, Legislation and General Administration of the Republic on the Bill (No. 1022) respecting half-time working by public servants, appended to the minutes of the sitting of 15 April 1970 of the National Assembly (No. 1077).

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need for lifelong education. It is generally recognised nowadays that the rapid evolution of science and technology demands permanent updating of knowledge and that the future of an undertaking is increasingly dependent on its employees' ability to keep abreast of progress. Various methods have been advanced or are already being applied to enable workers at all levels either to upgrade their abilities under social promotion schemes, or to follow refresher courses or updating programmes. Paid educational leave is one such method. It is not always easy to organise, specially for management personnel whom the undertaking finds it difficult to do without, even for a short time. Evening courses are another means of organising continuing education. In our over-populated industrial cities, where the fatigue of long commuting journeys is added to the exhaustion from a working period crowded into five days per week, this is not perhaps the best solution.

There remains the possibility of making greater use of part-time work, which can enable people to continue in their jobs. Although they may do so at a slower pace, their presence in the undertaking is assured, together with the acquisition of new knowledge essential for the operation of the undertaking. Far too little thought seems to have been given to the ways in which continuing education may be helped by wider application of part-time working. This may be because both governments and employers are unable to separate it from the discouraging image produced by haphazard and mistaken application.

The fact that administrations in several countries are attempting to give part-time employment some form of statutory framework with a definition of its limits and scope, while endeavouring to free it from any prejudice, whether unfavourable or favourable, may perhaps constitute an important landmark in the acceptance of this form of work and its utilisation for increasingly diversified aims.

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This survey covers only a limited number of economically advanced countries<sup>1</sup>, because the question arises in different terms in the developing countries, for which there is in any case little or no information.

I have not attempted to include specific categories of workers under the term "public service", because each country has its own practice in this respect.<sup>2</sup> For example, teachers are public servants in some countries but not elsewhere; the same situation applies to railway workers, dock-workers, nurses or the police. Moreover, within each country public servants are not all covered by the same regulations, those applicable to

<sup>1</sup> Austria, Belgium, Canada, Denmark, Finland, France, the Federal Republic of Germany, Norway, the United Kingdom and the United States.

<sup>2</sup> United Nations: *Handbook of civil service laws and practices* (New York, 1966), document ST/TAO/M.29.

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them depending on whether they work for the central administration or for local authorities, or whether they are employees of the State or recruited under special agreements or contracts. Sometimes they may even come under different ministries and, therefore, be subject to a particular ministry's regulations.

Consequently, it has not been possible to present a complete picture of the situation in each country. Generally speaking, owing to the lack of sufficiently detailed information regarding the conditions of work of local authorities' employees, I have endeavoured primarily to analyse the regulations governing the situation of central authorities' employees.

In addition, owing to the complexity of the administrative organisation in each country, the persons approached with a view to obtaining statistics on the part-time employment of public servants were not generally able to send complete data, either because this would have meant consulting too many authorities or simply because such data did not exist. The study may seem fairly inconclusive on this point, but I did not feel that the statistical aspect was what counted most. Although comparatively few public servants work part time, this does not necessarily mean, as the law stands at present, that this form of employment is not deserving of interest; it may be quite simply that the conditions offered are not particularly attractive.

**What is meant by part-time work?**

Among the various legislative systems there is a very wide range of concepts and definitions of part-time employment, so that it is difficult to find any common denominator except for the definition given by the ILO in the 1963 survey mentioned earlier, which has become something of a classic by dint of constant quotation: "Part-time employment is taken to mean work, on a regular and voluntary basis, for a daily or weekly period of substantially shorter duration than current normal hours of work". Keeping to this specification of the regular character of the activity I have left out any form of casual or temporary employment, with which part-time work is sometimes confused.

In some countries a minimum number of hours must be performed by a public servant to provide entitlement to certain rights. In the United Kingdom, for example, a civil servant is required to work not less than eighteen hours per week to be entitled to holidays with pay and other benefits.

In France the hours of work performed by public servants covered by the Act of June 1970 must amount to not less than half the hours required of persons performing the same functions full time.<sup>1</sup> The state-

<sup>1</sup> Decree No. 70-1271 of 23 December 1970 laying down public administrative regulations to apply the half-time working system for public servants (*Journal officiel*, 30 Dec. 1970).

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ment of reasons for the Act places special emphasis on the desire to introduce half-time rather than part-time working; this means that the daily or weekly hours must amount to half the time worked by full-time employees in the day or the week, but it does not rule out the possibility of concentrating the necessary amount of work within a few days of the week in order to avoid excessive travelling that would make the whole reform pointless.

In Canada under the Public Service Part-Time Employment Regulations a part-time worker is a person not normally required to work more than fifteen hours per week. Depending on the particular job, employees are allowed to work in the morning, in the afternoon or a shorter number of hours per day. Under a special programme established in 1967 by the Canadian Treasury Board for women university graduates, the working week was between twenty and thirty hours and during term-time only.

In the Federal Republic of Germany the law is applied very flexibly. It allows shorter working hours of not less than half the normal duration and permits all sorts of combinations as best suit those concerned.

In the United States the regulations also seem fairly elastic, but an agency or department may not offer permanent part-time jobs unless and until it has established that the work to be performed is continuous and not casual. After that, however, the contractual arrangement may consist of a given number of hours per day, per week, per month or per year.

In Finland public servants who so desire may work either two to three days per week or a fixed number of hours per day.

### **Reasons advanced in favour of introducing part-time employment**

The general report concerning conditions of employment of public servants submitted to the First Session of the ILO Joint Committee on the Public Service states that "there is now a decided trend towards recognition of the importance of part-time work for certain categories of workers whom it may assist—mothers (particularly those with small children), students, workers wishing to continue their training or studies, retired persons, etc.; the value of recruiting workers on a part-time basis is also becoming recognised in certain sectors where there is a labour shortage."<sup>1</sup> An analysis of the situation in the various countries covered by the present survey confirms this statement and shows that almost all provide the possibility for public servants who so desire to have their working time reduced.

In this respect there are two quite distinct groups, however: those which have for various reasons considered the question sufficiently ripe and the needs sufficiently pressing to justify special laws or regulations

<sup>1</sup> ILO: *General report: general review of conditions of employment of public servants*, Report I, Joint Committee on the Public Service, First Session, 1970 (Geneva, 1970), p. 24.

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clearly defining the employment conditions of this category of workers and designed to assimilate them to those of full-time employees (Denmark, France, the Federal Republic of Germany), and those where the conditions governing part-time employment remain ill-defined, sometimes inequitable, and not calculated to attract public employees (Austria, Belgium, Canada, Norway, the United Kingdom and the United States). Some of the countries in the latter group (Austria, Belgium, Norway, the United Kingdom) are, however, contemplating or already studying regulations, which shows that there is a definite trend towards more serious coverage of this type of work.

In Austria, for example, Parliament requested the Government in 1962 to examine the possibility of offering part-time employment in the public service to women with young children. Two Bills<sup>1</sup> were introduced but were not passed owing to the objections and opposition which they encountered. This, nevertheless, reflects the interest shown by the administration in this problem, which is undoubtedly shared by the persons concerned.

These dual considerations (the administrations' interest and certain workers' needs) have, therefore, been widely advanced in support of special action to promote part-time employment. It may even be observed that legislation comes to be introduced when there is a fair balance between these two sets of interests. So long as administrations have no difficulty in meeting their staffing requirements they are not particularly interested in part-time employment. But when it becomes hard to find suitable personnel they are prepared to make some concessions. In this respect they do not differ in any way from private employers.

In recent years the female contingent in several state sectors—education, postal and telecommunication services, health services, offices, etc.—has considerably increased, and there are many more women who remain in the service after marrying.

The statement of reasons for the Federal German Act respecting part-time employment in the public service<sup>2</sup> does not conceal the difficulties caused to the administration by the departure of large numbers of women public servants for family reasons, and the report on the application of the Act, prepared in March 1971 at the request of Parliament<sup>3</sup>, notes with gratification that, since the new provisions came into force, the number of women leaving their jobs has declined considerably. Moreover, it was reckoned that the special statutory measures would encourage

<sup>1</sup> The Federal Bill authorising the reduction of hours of work for certain female public servants (1963) and the Federal Bill respecting the acceptability of reducing hours of work for female public servants (1967).

<sup>2</sup> Sixth Act to amend the regulations governing the status and remuneration of public servants dated 31 March 1969 (*Bundesgesetzblatt*, 1969, Part I, p. 257).

<sup>3</sup> Deutscher Bundestag: *Teilzeitbeschäftigung und langfristige Beurlaubung von Beamten und Richterinnen: Erfahrungsbericht*, Drucksache VI/2064 (Bonn, 30 Mar. 1971).

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some of the women employees who had already left the service to return, because a decision adopted at the same time permits the re-engagement of women who resigned in the two years preceding the entry into force of this Act. Here again, statistics show that this expectation was not unfounded.

In France the Secretary of State for the Public Service informed the Senate on 6 December 1969<sup>1</sup> that the reform authorising half-time working "could improve both the situation of public servants and the functioning of the administration. Moreover, if it succeeds it could be extended in the categories concerned as well as to other sectors." Here again, therefore, it is a case of the law meeting the dual concern of safeguarding the interests of the administration and those of employees.

As mentioned in the same report, one of the aims of the Act was "to reduce the number of departures from the service representing a considerable cost to the administration" and "to remedy the chronic absenteeism of women employees bringing up children, who account for a high proportion of the staff in certain departments, in particular the Department of National Education and the Postal and Telegraph Service." The report also suggested that the Act would "open new prospects for the engagement of temporarily handicapped persons, whose employment is necessary both for themselves and for society".

In other countries this need for a personnel policy permitting a more human approach and a more flexible distribution of functions is not yet felt to anything like the same extent.

In the United Kingdom the present policy followed by the various departments consists of recruiting part-time employees only when there is a shortage of persons prepared to work full time or where a specialist or expert is needed but can only be obtained on a-half-time basis. Requests by individuals to work shorter hours are only accepted if refusal would cause them to resign from a post in which it would be difficult to replace them.

In various countries the system of part-time employment is commonly practised for certain work that does not require permanent attendance. In Norway, for example, the jobs of maintenance staff, school secretaries, physicians attached to state enterprises, school caretakers and grave-diggers come within this category. In Canada part-time working is authorised in the public service in any of the following three circumstances: (1) for certain jobs requiring attendance for a number of hours less than the average; (2) when it is not possible to recruit skilled personnel full time; (3) to encourage highly skilled women with children of school age to accept jobs.

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<sup>1</sup> Report already quoted presenting the Bill respecting half-time working by public servants.

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In other cases the introduction of part-time working has resulted from the difficulty experienced by certain services in coping with the public demand. In Finland, for example, following the introduction of the forty-hour week, the post office brought in part-time employment in order to be able to continue to deliver letters on Saturday mornings.

**Conditions for part-time employment**

As we have already seen, very few countries have so far adopted special legislation covering part-time employment in the public service. Elsewhere public service regulations contain piecemeal provisions on the subject but these are less complete and, moreover, less favourable to the part-time employees themselves.

Depending on the reasons that have induced governments to contemplate this form of employment, the relevant provisions may cover either women only (Belgium, the Federal Republic of Germany) or both men and women. Where legislation applies only to women there may be a problem in regard to the discriminatory character of such provisions. This has not gone unnoticed by legislators: in Denmark the Act of 7 June 1958 respecting the conditions of public servants made provision for the part-time employment only of women with dependent children under 18 years of age but the 1969 Act<sup>1</sup> replacing it grants this right both to men and to women wishing to take care of their young or sick children.

In the Federal Republic of Germany the committee instructed by Parliament to report on the application of the 1969 Act and to propose any necessary changes<sup>2</sup> stated that its application to women alone might be considered as contrary to article 3 of the Constitution, which guarantees equality of the sexes before the law, and it suggested that the scope of the provision concerned should be extended to male public servants and judges subject to the same conditions as applied to their women colleagues.

Where governments have found that there is a need for provisions permitting part-time employment they have had to lay down fairly strict conditions governing the use of this system as well as to impose limits regarding the length of time during which people may continue to work on this basis.

In France and the Federal Republic of Germany, as will be seen further on, the determining factors are the age and number of public servants' children. In Belgium only women in certain categories and grades qualify.<sup>3</sup> In Canada the special programme established by the

<sup>1</sup> Act No. 2011 of 18 June 1969 respecting officials employed by the State, state schools and religious communities.

<sup>2</sup> Deutscher Bundestag, Drucksache VI/2064, op. cit.

<sup>3</sup> Section 26 of the Royal Order of 1 June 1964 respecting certain forms of leave granted to public servants (*Moniteur belge*, 23 June 1964).

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Treasury Board (see above) was originally limited to three professions affected by shortage of staff—those of economist, statistician and librarian.

As regards the maximum period of time during which anyone may work part time, in France it is three years, which may be renewed, subject to a maximum of nine years; in Belgium, six months, with the possibility of further six-month extensions if compatible with the demands of the service; in Denmark, for a limited period, until further notice; in the Federal Republic of Germany, not more than twelve years.

There are also restrictions concerning the categories of officials who qualify. In France only established public servants are eligible, which excludes supernumerary and fixed-term employees and state-employed wage earners who do not belong to the pension scheme. Nor are judges eligible, because the general public service regulations do not apply to them. In the Federal Republic of Germany, however, the relevant federal legislation (in common with the legislation of the Länder) specifically covers female public servants and judges, and is also applicable to public servants during probation. In Denmark persons employed by the State under a contract are not covered by the Act of 1969.

In contrast to the virtually general rule that part-time working is allowed only for serving employees, the Federal German Government decided, as mentioned above, to extend this right to all female public employees fulfilling the statutory conditions who had resigned in the two years preceding the entry into force of the Act, provided they had made their request before the end of 1969. In France it was decided that if the trial period produced conclusive results the possibility of re-employing former public servants who had been placed on the reserve list or who had resigned would be considered. In Canada the special programme is designed essentially for university women who have not yet joined or who are no longer members of the public service and whom these facilities might attract to the administration.

Apart from general conditions certain countries lay down detailed provisions specifying cases in which a public servant, of either sex, may apply to work part time. The systems in France and the Federal Republic of Germany are the most recent and by far the most developed in this respect.

In France the decree to apply the 1970 Act provides that a public servant may apply to work part time in the following circumstances:

- (a) to raise one or more dependent children under 12 years of age;
- (b) to take care of a child suffering from a condition requiring continuous attendance;
- (c) to assist the spouse or a parent of the public servant or of the spouse, if their condition as a result of an accident or serious disease necessitates the presence of another person;

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- (d) in the case of at least 85 per cent disability;
- (e) when a medical board has ruled favourably on half-time working because of an accident or a serious disease.<sup>1</sup>

The right is granted to the official "in the light of the exigencies of the service". This provision, which is a safety clause designed to protect the authority of heads of units and to avoid the complete disorganisation of certain services, clearly places considerable bounds on the scope of the law, and it was hotly debated in the legislative committee. Similar provisions in one form or another are to be found in other countries.

Another provision contained in French legislation, and also appearing in that of other countries (in particular Belgium and the Federal Republic of Germany), forbids a half-time official to occupy another remunerated post or to engage in private gainful activity. This is justified by the idea that it would not be fair to reduce an employee's work load in view of his social situation to allow him to offer his services elsewhere.

In the Federal Republic of Germany the right to work part time is recognised under the 1969 Act for any female salaried public employee or judge having at least one dependent child under 16 years of age at home.

The existence of these limits and restrictions brings us to the heart of the problem raised by part-time employment. The adoption of this system corresponds to obvious social aims which are felt increasingly strongly in most countries, but if it were applied too broadly it might well offend feelings of equity, particularly in regard to holidays and pension entitlement. Efforts are, therefore, being turned towards striking a proper balance between the advantage granted to part-time workers and any possible disadvantages.

If the advantages are insufficient the whole exercise will be bound to fail. Certain countries have already found this out for themselves; in France, for example, a campaign to recruit half-time shorthand-typists in the Paris administrations in 1963 and another scheme to find nurses were unsuccessful owing to the insufficient incentives, both social and financial, that were offered.

**Remuneration, advancement and promotion, leave and pension rights**

**Remuneration**

The law is generally too concise and unforthcoming to give a precise idea of the working conditions offered to part-time employees.

In most cases, however, their remuneration is calculated on the basis of actual hours worked. Generally a commensurate proportion of special allowances and supplements is also payable.

<sup>1</sup> Part-time employment on medical grounds is provided for in several countries' legislation.

*Part-Time Work in the Public Service*

**Advancement and promotion**

The effects of part-time working for the purposes of calculating seniority are not always clearly indicated. The decree to apply the French Act of 1970 provides that the period of assignment of employees to half-time working should be counted in full towards advancement within the same grade or promotion to a higher grade. The same holds good in the Federal Republic of Germany. In Norway supplements in respect of length of service and promotion are payable at the same rate as in the case of full-time employment. But most legislative systems have nothing to say on this point, despite its importance.

Nor are they more explicit with regard to promotion. The system applying in administrations is generally based on the criteria of length of service and merit, although in variable proportions, so that the opportunity for promotion depends to a great extent on the way in which part-time working is included in the length of service.

In the United States the method depends on each administration, without any uniformity. In Canada the same method of advancement applies to all public servants, provided that they work for more than one-third of normal hours. For example, in replacing an experienced typist working part time, applications from other part-time employees in the same service or department will be considered. For a full-time post, however, only those willing to work the whole day are allowed to compete.

**Leave**

In some countries the leave entitlement of part-time public servants does not appear to be affected by their special status and remains the same as for full-time employees (Denmark, France, the Federal Republic of Germany), while in other countries it is reduced in line with their hours of work (Belgium, Canada). Holiday pay corresponds to their remuneration and is generally reduced in the same proportion.

In Canada a holiday allowance equivalent to 4 per cent of part-time employees' gross remuneration is added to each month's pay.

In the United Kingdom any public servant working at least eighteen hours spread over the week or under an equivalent arrangement on a continuous footing is entitled to sick leave payable on the same basis as for full-time employees, and to annual leave corresponding to grade and calculated in proportion to the hours actually worked.

**Pension entitlement**

In certain countries part-time officials are not eligible for membership of the civil service pension fund. In the United Kingdom any person working less than the normal hours is considered to be in an unestablished capacity and may not claim a pension unless subsequently placed on an established footing following recognition of his part-time services (at least

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eighteen hours per week). In Canada part-time public servants, in common with any other person earning over \$600 per year, are required to contribute to the Canada Pension Plan or the Quebec Pension Plan at the rate of 1.8 per cent of gross salary.

In the United States, on the other hand, the various pension systems for civil servants are open to part-time employees. The remuneration taken into account in calculating the pension is the remuneration actually received.

In France the period of half-time service is reckoned at half its duration in calculating pension entitlement. Contributions are based on actual earnings.

In the Federal Republic of Germany the remuneration taken as the basis for calculating the pension rate is the full remuneration for the most recent full-time employment. In calculating the period of pensionable service, however, only the actual hours worked are taken into consideration.

These fragmentary indications give some idea of the wide variety of measures called for in order to ensure fair treatment for part-time employees. By far the most important provisions in this connection relate to pensions. The system that is still frequently applied, whereby part-time employees are excluded from the public service pension scheme, is a serious obstacle to the extension of this system of working.

**Categories of public servants working part time**

Generally speaking, part-time working is still not very common in the public service and occurs mainly in three very different types of employment: first, highly skilled jobs; secondly, certain subordinate posts either in offices or in state undertakings; and lastly, jobs which by their very nature can only be performed on a part-time basis (those of cleaner, canteen worker, etc.). Almost everywhere the majority of part-time employees are women.

In the Federal Republic of Germany most women who have availed themselves of the opportunity provided by the Federal Act of 1969 belong to the category of medium-level employees, working mainly in post offices, the telegraph service, postal cheque offices, and so on. By the end of March 1971 no woman judge had yet taken advantage of this opportunity. In Lower Saxony and Baden-Württemberg, which have allowed public servants to work part time since 1960 and 1962 respectively, little use has been made of this facility. As of 1 August 1964 only 272 female primary-school teachers out of 13,246 (2 per cent) were working part time in Baden-Württemberg.

In Finland, also, part-time working is most widespread in the postal service (postmen and office staff), but the system is also in operation in museums, libraries and local family help services.

#### *Part-Time Work in the Public Service*

In Canada as of 30 September 1970 there were 5,100 part-time employees out of the total of 205,000 working for the Treasury Board. The largest concentration was in the highly populated provinces of Ontario and Quebec (3,600). The postal service accounted for the largest number (4,200), mainly postmen and office staff. There were 650 persons working part time in the general services (cleaners, storekeepers, messengers, maintenance staff), 100 in subordinate office jobs and 70 in scientific and technical occupations (dentists, meteorologists and nurses). In the United States general clerical staff, technicians and machine operators account for the largest proportion of part-time employees.

It can thus be seen that in almost all the countries the jobs most often performed on a part-time basis are for the time being ones that do not involve a great deal of responsibility, and certainly do not include posts of authority, with which this system of working is considered incompatible. None the less, when administrations want to get hold of highly skilled staff they have no qualms about disregarding this supposed incompatibility.

#### **Problems raised by the organisation of part-time working**

In addition to the problems already discussed in regard to the provision of satisfactory conditions of work for part-time public servants, it is generally acknowledged that there are a variety of organisational difficulties as well. These relate, first, to the type of job that can be performed part time; opinions diverge in this connection, which suggests that there may not yet be enough practical experience to permit any final conclusions to be drawn.

In the United Kingdom, for example, where the Civil Service Commission is considering how female civil servants might be helped to reconcile careers with family responsibilities, it has been considered that the organisational difficulties would be particularly great in office jobs, in services open to the public and in jobs involving the making of payments. In other countries, however, part-time working has been specially advocated or is particularly widespread in office jobs or in services open to the public. The fact remains, however, that even if all jobs do not lend themselves equally to this system, it can be of undeniable interest for a large number of persons.

In addition to the nature of the job another decisive factor is the size of the service concerned. In the Federal Republic of Germany it has been found that part-time working causes less trouble in large administrations where the bulk of the staff consists of women than in small services.

Another problem consists of reintegrating employees in a full-time post after they finish working part time. Should there be certain conditions, as under French legislation, whereby a part-time official may be

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assigned to a full-time job only if a post is vacant, or should the whole matter be left to individual decision? Limits on the permissible duration of part-time working provide a partial solution, because even if there is not always a vacant post at the particular time when an employee wishes to resume full-time working he will be sure of finding one by the end of the period laid down by law. In any event, some sort of limit on freedom of reintegration seems inevitable if services are not to be exposed to excessive disorganisation. It was pointed out in the Federal Republic of Germany, for example, that certain administrations, such as the customs, had been able to overcome organisational difficulties only because the number of persons interested in part-time working was fairly small. In the postal administration it was found easier to approve applications when two employees had agreed to occupy the same post. Generally speaking, half-time working has resulted in less disorganisation than working for two-thirds or three-quarters of the time.

In Finland it is reported that the greatest difficulty comes from the high degree of mobility of part-time employees.

A study concerning the public service in Canada<sup>1</sup> seems to have found the main causes of a good number of these difficulties. It points out that the whole system of manpower utilisation is conceived for full-time staff. Any other type of employee is seen as a special case, a nuisance and often as a second-class citizen, with consequent difficulties in finding a proper place in the system.

Experience in Canada also shows that if part-time workers are to enjoy better conditions there should not be an accumulation of exemptions in their favour. The opportunity given to university women with families to work only during term-time, which makes them not just part-time employees but temporary employees as well, has not facilitated their integration.

**Conclusions**

The fact that the system of part-time working in the public service has gained ground in recent years despite all of the difficulties described is confirmation of what was stated in the introduction to this article about there being keen enough interest in it on the part of both administrations and employees to encourage efforts to find solutions satisfactory to both sides.

But this evolution does not result just from a closer coincidence of individual interests and economic requirements; it also reflects a turn towards a new concept of employment. In a statement he made in 1966 regarding the right to work, Jean Fourastié pointed out that "this right

<sup>1</sup> Kathleen Archibald: *Sex and the public service, a report to the Public Service Commission of Canada* (Ottawa, 1970).

*Part-Time Work in the Public Service*

has hitherto mainly been understood in the sense of the right to work for one's livelihood. . . . The other interpretation now gaining acceptance is the right to share in production, in social life, and to develop one's personality. This new interpretation is given prominence in numerous surveys of public opinion.<sup>1</sup> The latitude offered to certain public employees to take time out during their career to devote themselves partly and temporarily to other interests allows for this aspiration.

It also gives due consideration to the preferences felt by women for whom it would be an excessive strain on health and family life to continue full-time employment when they have young children to look after. And it allows for other needs felt to an increasing extent by workers, including the need for advanced training, continuing education and social promotion.

The new arrangements deserve attention, moreover, on account of the positive effect they will undoubtedly have on the integration of women in occupational life. They are entirely in accordance with recommendations recently made to the Second European Demographic Conference<sup>2</sup>, which noted that the difficulties experienced by women in reconciling their family life with an occupation were one of the causes of the declining birth-rate and the aging of the European population and presented as one possible solution the development of part-time employment and social amenities (kindergartens, schools, hot-meal services, etc.) enabling women to combine the functions of production and reproduction.

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<sup>1</sup> As quoted by Jean Hallaire in *Part-time employment, its extent and its problems*, Employment of Special Groups Series, No. 6 (Organisation for Economic Co-operation and Development, Paris, 1968).

<sup>2</sup> See *Journal de Genève*, 7 Sep. 1971.

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JOHN H. HOLLOWAY III  
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate  
COMMITTEE ON THE JUDICIARY  
WASHINGTON, D.C. 20510

October 10, 1973

Senator Gale W. McGee  
Chairman  
Senate Post Office and Civil Service Committee  
Senate Office Building  
Washington, D. C.

Dear Mr. Chairman:

I am writing in reply to the statements submitted to your Committee by Robert E. Hampton, Chairman, United States Civil Service Commission and Francis S. Filbey, General President, American Postal Workers Union in opposition to S. 2022, The Flexible Hours Employment Act.

I would like to state at the outset that I agree with the position of Mr. Filbey to the effect that the Postal Service and Federal employers whose hours and working conditions are determined by collective bargaining contracts should be exempt from the requirements of this legislation. I have no problem with changes which accomplish this objective. Similarly, I agree with the Chairman of the Civil Service Commission that the interests of administrative efficiency are best served by laying enforcement and oversight responsibility in the Commission rather than in the Department of Labor.

Several points made by Mr. Hampton require rebuttal. They are:

1. "There is now available administrative flexibility that enables Federal executive agencies to employ workers on a part-time basis."

In the most limited sense, of course, this is true. The Federal Government does employ a very small percentage of its work force in part-time positions. Analysis of the difficulties confronting Federal personnel managers indicates,

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however, that the present rules in fact systematically exhibit such flexibility. I invite the Committee to learn more on this subject by reading the HEW monograph, "Part-Time Employment, A Manager's Alternative to Staffing," a copy of which is enclosed. I would like to quote below several key paragraphs:

Managers can hire part-time or intermittent employees against unused ceiling for full-time employment in permanent positions, but only on a one-for-one basis. Thus, if a manager with an unfilled permanent position wanted to hire two people half time, he might be prevented as it would mean counting two people against the organization's employment ceiling instead of one were the position filled by a full-time person.

The apparent inequity of the last example has been the subject of much discussion. In November 1970, Senator Javits spoke to the Senate on Part-time Jobs for Women in Federal Government. Senator Javits pointed out the need for flexibility in employment ceilings in order to permit the conversion of "one full-time job into two half-time jobs without paying any 'extra price' in terms of job ceiling." He introduced into the Congressional Record correspondence on part-time employment exchanged between his staff and OMB.

From the correspondence with OMB he concluded, "Thus it now appears that applications for conversion of an employment ceiling to permit the splitting of one full-time job into two half jobs would be most routinely granted..."

The Javits/OMB exchange, subsequent news articles, and an issuance on the same subject by CSC have served to keep alive misguided efforts to promote job splitting for veterans and women. Many have felt that managers could easily convert permanent positions on a 2-for-1 basis; that OMB had now changed policy and was now willing to allow agencies to count two part-time employees against one full-time position.

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Unfortunately, the assumptions are not accurate. OMB has said that "if concrete plans are developed and as an agency can demonstrate the need, we will be glad to entertain specific proposals for the reduction of full-time permanent, and increase the part-time positions in a ratio that seems reasonable under the circumstances."

Thus, the basic ground rules are still the same: you can give up permanent positions (that is, eliminate them from your budget) in exchange for "other employment", but you cannot count two half-time employees against one full-time position.

Even when a manager gives up permanent positions, the justification requirement established by OMB makes it unlikely that agencies will seek approval for such a conversion. The CSC has also made it clear that the conversion mechanism applies to "program-size adjustments... and not simply to a small number of cases..."

Besides, neither OMB nor CSC make any provisions for reversing the process - giving back the permanent slots - should the situation which led to the conversion later change.

Clearly this is not the mechanism for the individual manager to use to obtain an optimal staffing mix of full-time and part-time employees. Nor does the process live up to Senator Javits' hope of a flexibility that will permit the executive to make the most effective use of an important and effective segment of the employee population.

The facts and observations made in this memorandum by a group of knowledgeable Federal personnel officials clearly indicate that the flexibility claimed by Mr. Hampton is illusory.

2. "The requirement does not take into account the amount and type of work to be done and would be imposed whether or not such work could best be accomplished by part-time employees."

In this instance the Chairman overlooked not the realities of Federal employment but the language of the legislation. Section 2(a) clearly and simply allows the

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Secretary to find that fulfillment of the part-time positions requirement is not feasible and thus to allow specific exemption from the bill's requirements. Obviously, some positions must always be filled on a full-time basis. Experience with many types of employment in the private sector, however, demonstrates, that with a bit of creative leadership and imagination it is not difficult to fill one out of ten positions with less-than-full-time employees.

3. "The bill would require that some jobs now filled on a full-time basis be converted eventually to part-time. This would be more costly because of additional overhead expenses and would result in inefficient operations in some work situations."

There may well be some additional overhead and training expense involved in providing a more adequate number of part-time positions. The evidence presented to the Committee in the Hearing, however, indicated that part-time employees are generally more efficient and productive on an hour-for-hour basis than their full-time counterparts. The growing use of part-timers in the private sector, indeed their use in the Federal service, should be sufficient to disabuse anyone of the prior assertion that full-time employment is necessarily more efficient than part-time.

4. "Labor market conditions...would...make it impossible to hire enough well qualified employees in some types of jobs..."

This is no doubt true. As noted before, the bill makes adequate provision for such circumstances. It should be noted that testimony and materials inserted into the hearings record demonstrate that there is a vast simply and even oversupply of qualified people desirous of working less than full-time. Additionally, it might be expected that many highly trained and qualified civil servants who now elect to retire early might well be willing to stay on in part-time positions if such positions were created.

In closing, I would like to point out that, unlike the proponents of the bill, Mr. Hampton has produced no evidence in support of his position. One must wonder how the

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Commission can claim to be actively interested in promoting part-time employment and yet so devoid of any empirical evidence regarding its merits. Like the dismal statistics concerning the actual extent of part-time employment in the Civil Service, Mr. Hampton's letter is another monument to the Commission's indifference toward promotion of new and creative approaches to public employment.

Thank you again, Mr. Chairman, for your concern with improving the opportunities offered by the Federal government.

With best wishes, I am,

Sincerely,

  
JOHN V. TUNNEY  
United States Senator

JVT/lar

Enclosures

cc: Mr. Robert E. Hampton  
Mr. Francis S. Filbey

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The CHAIRMAN. The next witness is the Honorable Bella Abzug. Welcome aboard, Bella. Proceed in whatever manner you wish.

**STATEMENT OF HON. BELLA ABZUG, A U.S. REPRESENTATIVE FROM  
THE STATE OF NEW YORK**

Ms. ABZUG. I am very pleased to appear before you. This is really a joint statement on behalf of Congresswoman Yvonne Burke and myself, who has joined me in sponsoring H.R. 9109, the Flexible Hours Employment Act, which is the House counterpart to the bill that Senator Tunney just testified about. Because of illness in Representative Burke's family, she cannot be here.

Let me also explain that I will try to be brief because of my commitments to the deliberations about to commence in the other body.

What this committee is considering may prove in the future to be one of the most important pieces of legislation to be proposed in this or any other Congress. The concept of flexible hours employment should be defined at the outset as I and Representative Burke and the 19 cosponsors of H.R. 9109 understand it. It is basically a two-part definition.

The first involves part-time employment. That is generally understood to mean less than the normal 40-hour workweek. This could mean either less hours per day for 5 days or less than 5-day-a-week employment. The second part of the definition would involve breaking the normal pattern of the 9 to 5 workday. This alone can produce some very interesting results that I will go into in a moment.

Part-time workers comprise an increasingly important proportion of the Nation's work force, supplying trained manpower needs. In 1967, 6 million women worked part time out of choice. Three million of them worked part time year round. In a 16-year period (1950-66) the full time labor force increased by 20 percent, and the part-time work force by 69 percent. The proportion of women in the part-time labor force increased by 79 percent.

In 1967, BLS estimated that by 1980 one worker out of every seven would be part time. But the rate of increase in part time workers has been so great that the ratio of 1 to 7 was reached by the end of 1972, 8 years ahead of the estimate. More than 12.5 million American workers were part-timers at the end of last year, 5 million more than BLS found in 1963 when it began keeping those statistics.

The need for this legislation is demonstrable on a number of grounds. First, it would increase the opportunity for the Federal Government to employ the skills, resources, talent, and brain power of many segments of the population that, because of the current rigid system of employment practices, are denied that opportunity.

Indeed, the President's Advisory Committee on the Economic Role of Women finds that the addition of these millions of women to the labor market contributes significantly to the national output as measured by gross national product.

While most of the benefits of this additional output accrue to the women who produce it and to their families, there are direct benefits to society at large, including the taxes paid on women's earnings.

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If we had a meaningful system of flexible hours, using the definitions that I have provided, more women—especially women with children, the handicapped, and the elderly, would have a chance to work for the Federal Government.

The problem of talented women with children who would like to return to work is great.

Skilled professional part-time workers are usually women. Those men who have part-time jobs are generally students or older men. Many more women want to work part time but cannot find jobs. The unemployment rate in 1971 for women with young children was almost 12 percent, close to three times the rate of other married women, a condition which is costly to the women, their families, and the Nation.

Some 353 million women workers represent 43 percent of the Nation's work force. These workers have 5 million pre-school age children. I don't have to go into detail with you about the grossly inadequate number of quality child-care facilities available or even the inequities in the child-care deduction now allowed within the income tax system. Let me give you an example from a letter I received:

For the past 6 years, I have been a civil servant and for the past 4 years of this time have worked for the Office of Child Development, Department of Health, Education, and Welfare in Dallas, Tex. I wholeheartedly support this legislation for several reasons. But this year, I am particularly interested since I will become a mother for the first time in December.

While the Federal regulations presently are quite liberal compared to most private industry, they are rigid. For instance, you are allowed a period of absence for maternity reasons of about 14 weeks—'6 weeks before expected date of delivery and 8 weeks after actual delivery, unless an operating agency head establishes, by regulation, that a longer period of incapacitation is normal in his agency for types of positions of a strenuous or physically exacting nature.' No provision is made for part time during this period—it is an 'all or nothing at all' situation.

Many women would come back to work sooner if they were allowed to work only part time. And this makes sense. I have observed that many women come back to work full time only to find themselves exhausted in their new dual role of mother and worker. If they were allowed to ease back into their workday which would allow adjustment to their work schedule at home also, all sides would benefit.

But with a little help from the Federal Government—with the help provided by a broad flexible hours program—we can upgrade the efficiency of current Federal employees who might opt for flexi-hours positions, attract talented women, who because they can't find child care or have some commitments at home, can't work 40 hours a week from 9 to 5.

That part-time workers are "management bargains" has been the theme of most evaluations which the increase of part-time workers has generated. Some of the advantages found were—

- Greater selectivity possible by the employer;
- Low turnover rates;
- Lower fringe benefit rates;
- High productivity;
- Greater maturity—ability to organize, to make relations, to synthesize work;
- Stronger motivation, growing out of appreciation for maintaining skills.

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The American Society for Public Administration endorsed part-time work in private business as a source of specialized, high caliber professionals. The Wall Street Journal considered the advantages of part-time workers as meriting a front-page story in March of this year.

The Russell Sage Foundation, the Radcliffe Institute, Harvard, Stanford, and Princeton are among institutions finding the use of part-time women of value. John Kenneth Galbraith in his recent book, "Economics and the Public Purpose," states unequivocally that there should be greater flexibility in work hours to allow more sharing by husband and wife of family chores.

Finally, almost 24,000 workers responded to the survey in which 21,683 were in favor of a flexible-hours program by supporting a 4-day, 40-hour workweek.

Of course, I would like to make it clear that nothing in this legislation should be construed to interfere with any existing or future collective bargaining agreements or Federal wage-and-hour statutes.

Let me briefly mention at least four other segments of the working force population that could benefit from such a program. The talents of the handicapped are lost to the Federal Government for a variety of reasons, including prejudice, and often architecture, but one of the problems that groups representing the handicapped have expressed to me, is the problem that the handicapped have in competing with the crush of people during the rush hour. Adoption of this measure could add this large group to the Federal work force in significant numbers.

Students could more easily work for the Federal Government, and Federal employees could more easily pursue advanced degrees or specialized training. People who are thinking of retiring from the Federal service might think about working longer, giving us the benefit of their experience, if they could reduce their number of hours.

Another segment of the population that would benefit from this program are men. Men who are considering the responsibilities of child bearing and would like to assume a greater share of that responsibility could opt for participation in this program.

Within the Federal Government there have been some experiments with part-time workers—mostly women in the AEC, Department of Labor, HUD, Peace Corps, National Science Foundation, and the Veterans' Administration. But there are inherent impediments within the Federal Government's employment policies which have retarded its development. Why hasn't the Government moved ahead in this critical area?

According to a very thorough report of the HEW women's program: the answer seems to lie in the budget process and employment ceiling controls which have created an artificial dichotomy between full-time and part-time employment, a dichotomy which need not persist if the facts are understood.

These controls have emphasized full-time employment and given little attention to part time. The effect has been to focus management attention of full time with no incentive to establish and maintain an optimum employment mix.

Does it work? Yes. It has been successful in private industry where it is being used. Let me give you a few examples. In a recent (Septem-

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ber 10) article in Newsweek, a vice president of Hewlett-Packard, which recently converted its 15,000 employees to flexible hours, said, "I now have people from 7 a.m. to 5:30 p.m." Still quoting from Newsweek, "Executives say the system virtually eliminates tardiness, cuts absenteeism, and boosts morale \* \* \*." Let me just cite some other American companies that have adopted this system. Nestlé, Occidental Life of California, Lufthansa German Airlines, Metropolitan Life, and Hewlett-Packard.

There is a subsidiary point that should be raised at this time. I am sure that in your considerations of the civil service in general, you have come across the problem of getting the civil service to serve the people. You have probably heard complaints about Government agencies, especially those that deal with the public, being opened only from 9 to 5, 5 days a week. People complain about having to miss their own work to take care of some problem with the Government. If we had a flexible-hours program, it is possible that we can open the doors of the agencies before 9 and keep them open after 5.

With the adoption of this proposal, we can increase productivity and efficiency in Government, open the work force to groups that are excluded, and increase the Government's contact with the people it serves.

I would like to insert in the record the text of the House version which Mrs. Burke and I have introduced, with a list of its cosponsors.

The CHAIRMAN. I want to thank you very much for your contribution to this, your leadership. We may have some other questions that we will want to put to you as we begin to sort this out, because it is very complex.

Ms. ABZUG. Yes.

The CHAIRMAN. We would like to feel free to do that or for a member of your staff to wrestle with that with us.

Ms. ABZUG. I would very much welcome that opportunity. If there is anything we can answer or anything we can be helpful with, we would be more than glad to answer any questions.

The CHAIRMAN. Thank you very much.

Ms. ABZUG. Thank you for your courtesy here this morning.

The CHAIRMAN. The committee hearings will be recessed until 1:30. We will resume at 1:30 to hear the remaining witnesses on this bill.

We will reconvene in this room at 1:30.

[Whereupon, at 12:26 p.m., the committee was recessed, to reconvene at 1:30 p.m., the same day.]

[The aforementioned bill H.R. 9699 follows:]

93D CONGRESS  
1ST SESSION

# H. R. 9699

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1973

Ms. ABZUG (for herself, Ms. BURKE of California, Ms. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. EDWARDS of California, Mr. FRASER, Mr. HARRINGTON, Mr. McCORMACK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. OWENS, Mr. REES, Mr. ROSENTHAL, Mr. ROYBAL, Mr. STOKES, and Mr. WALDIE) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To provide increased employment opportunity by executive agencies of the United States Government for persons unable to work standard working hours, and for other purposes.

- 1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2       That this Act may be cited as the "Flexible Hours Employment Act".

5       SECTION 1. As used in this Act, the term—

6           (1) "executive agency" means an executive department, a Government corporation, and an independent establishment, including the United States Postal Service;

10          (2) "flexible hours employment" means part-time

1 employment, as for example, four hours per work day or,  
2 one, two, three, or four days per workweek, and includes  
3 such other arrangements as the Secretary establishes  
4 consistent with the policy set forth in section 2 (a) ; and

5 (3) "Secretary" means the Secretary of Labor.

6 SEC. 2. (a) It is the policy of the United States Govern-  
7 ment that, unless adjudged impossible by the Secretary, at  
8 least 2 per centum of the positions at each and all levels in  
9 all executive agencies shall be available on a flexible hours  
10 employment basis for persons who cannot work or do not  
11 desire to work full time within one year after the date of en-  
12 actment of this Act. Not later than two years after the date of  
13 enactment of this Act, 4 per centum of such positions shall be  
14 available for such persons. Not later than three years after the  
15 enactment of this Act, 6 per centum of such positions shall be  
16 available for such persons. Not later than four years after the  
17 enactment of this Act, 8 per centum of such positions shall be  
18 available for such persons. Not later than five years after the  
19 date of enactment of this Act, 10 per centum of such positions  
20 shall be available for such persons.

21 (b) Each executive agency shall adopt and maintain  
22 procedures, continuously conduct activities and projects, and  
23 undertake such other efforts as may be appropriate to carry  
24 out the policy of subsection (a) of this section. The Secretary  
25 shall promptly formulate and implement and thereafter super-

1 vise a program to assist executive agencies in carrying out  
2 such policy.

3 (c) Each executive agency shall report quarterly to the  
4 Secretary on the procedures, activities, projects, and other  
5 efforts undertaken to carry out the policy of subsection (a)  
6 of this section. The quarterly reports shall contain documenta-  
7 tion concerning the extent to which the employment require-  
8 ments of subsection (a) have been fulfilled and an explana-  
9 tion of any impediments to their fulfillment and of measures  
10 undertaken to remove these impediments.

11 (d) The Secretary shall report annually to the Con-  
12 gress on the procedures, activities, projects, and other ef-  
13 forts undertaken to carry out the policy of subsection (a).  
14 The annual reports shall contain documentation concerning  
15 the extent to which the employment requirements of sub-  
16 section (a) have been fulfilled and an explanation of any  
17 impediments to their fulfillment and of measures undertaken  
18 to remove these impediments.

19 SEC. 3. (a) The Secretary shall carry out all his or  
20 her functions relating to the welfare of wage and salary  
21 earners through the Employment Standards Administration  
22 of the Department of Labor, or any administration of the  
23 Department of Labor that may, after the effective date of  
24 this Act, be charged with responsibilities similar to those  
25 of the Employment Standards Administration, including—

1                 (1) the conduct of research and experimentation  
2                 projects and any other activities designed to promote,  
3                 in public and private employment, the advancement of  
4                 opportunities for persons who are unable or who do not  
5                 desire to work standard working hours;

6                 (2) the promotion and supervision of programs for  
7                 flexible hours employment in the executive agencies;  
8                 and

9                 (3) the encouragement of adoption of flexible hours  
10                employment practices by all public and private em-  
11                ployers.

12                (b) The Secretary shall carry out all of the functions  
13                of this Act through the Employment Standards Adminis-  
14                tration of the Department of Labor, or any administration  
15                of the Department of Labor that may, after the effective  
16                date of this Act, be charged with responsibilities similar to  
17                those of the Employment Standards Administration.

18                SEC. 4. No person who is otherwise qualified for full-  
19                time Federal employment shall be required to accept flexible  
20                hour employment as a condition of new or continued em-  
21                ployment.

22                SEC. 5. All persons employed in flexible hours employ-  
23                ment positions pursuant to the policy established by section  
24                2 (a) of this Act shall receive, on a pro rata basis, all benefits

1 normally available to full-time employees of all executive agen-  
2 cies in similar position or grade.

3 SEC. 6. No executive agency subject to the provisions of  
4 this Act shall, for the purpose of determining that agencies  
5 personnel ceiling requirement, count any employee employed  
6 on a flexible hours employment basis other than on a pro rata  
7 basis according to the percentage of hours such employee  
8 works in each forty-hour workweek.

9 SEC. 7. No person employed as an expert or consultant  
10 pursuant to section 3109 of title 5, United States Code, and  
11 no person who is employed for more than twenty hours in any  
12 forty-hour workweek by any employer other than an executive  
13 agency may be counted for the purpose of determining compli-  
14 ance with the policy established in section 2 (a) of this Act.

15 SEC. 8. There are authorized to be appropriated such sums  
16 as may be necessary to carry out the purposes of this Act.

AFTERNOON SESSION

The CHAIRMAN. The committee will come to order and resume the hearings on the bills on the agenda.

We are at the moment in the middle of testimony on S. 2022, a measure introduced in the Senate by John Tunney from California.

The next witness on the list is Mr. Raymond Jacobson, Director of the Bureau of Policies and Standards of the Civil Service Commission.

I would like to mention to the upcoming witnesses that if it is possible for you not to emulate the Senate but to zero right in on your targets, it would be very much appreciated inasmuch as we are already being threatened by rollcall votes. I am always embarrassed to have to interrupt with testimony, if you can expedite it with the understanding that your full statement will be a part of the record intact, and if you can leave out any part in any way that in your judgment is the most effective, it would be appreciated.

Proceed in any case. If you will proceed, Mr. Jacobson.

**STATEMENT OF RAYMOND JACOBSON, DIRECTOR OF BUREAU OF POLICIES AND STANDARDS, CIVIL SERVICE COMMISSION**

Mr. JACOBSON. Thank you very much, Senator.

In view of the fact that I do not have a prepared statement, I think it will be possible for me to accede to your desires.

The CHAIRMAN. Sometimes those are more dangerous situations.

Mr. JACOBSON. I realize that.

The CHAIRMAN. You are challenged.

Mr. JACOBSON. I will try to rise to the challenge, sir.

The Civil Service Commission has supplied the Senate committee yesterday with a report on bill S. 2022.

The CHAIRMAN. How come you are opposed to Billie Jean King down there?

Mr. JACOBSON. As a tennis player myself, I was very pleased to see Billie Jean doing such a great job the other night. I am not opposed to Billie Jean. I think she is great.

As our report indicates, Senator, we are very much in favor in the Civil Service Commission of a Government policy of creating as many part-time employment opportunities as possible. We are very interested in that. We think that is a desirable goal. We already have, in the Federal work force, a significant number of people engaged in part-time employment and we feel that it is a very useful contribution to the Government's meeting its obligations. We do have considerable objections to the bill as written. Those are stated in specific detail in our bill report, and I would not necessarily try to repeat them. I think to summarize them basically—

The CHAIRMAN. I think Senator Tunney and others who support it are not necessarily insisting on the bill's language per se. It is their idea that we want to give life to and procedures to implement it so that we do not suffer from further delays, if we can avoid it.

Mr. JACOBSON. I think my point is that we feel that the approach the bill takes is not appropriate to achieve the objectives desired. We fully endorse the objectives, increasing part-time employment opportunities,

or maximizing them; we have to do this in the light of the current circumstances and the needs of the Government to get the job done. We do not really think legislation of this type is necessary. For example, insofar as the administrative flexibility that is needed to enable Federal agencies to employ workers part time, such flexibility does exist. We, in fact, have in the Federal service now, 2,421,000 full-time permanent employees. We have 130,000 part-time regular employees. And 63,677 part-time intermittent employees.

The great bulk of the part-time workers are in the Postal Service, which as I understand the wording of the bill would be covered by the bill, so I have included those. But if we were to exclude the Postal Service from those calculations, the numbers are smaller but still sizable. The number of Federal employees, full time, permanent [exclusive of Post Office] is close to 1,900,000. The part-time regulars are 24,900 and the part-time intermittents, some 35,000.

Now the mere fact that we have something like 60,000 part-time employees, exclusive of the Postal Service, indicates that it is not unheard of in the Government to have part-time employment. We obviously have a significant amount of it. Whether the particular percentage is the right percentage or not, I certainly am not prepared to speak.

The CHAIRMAN. I am trying to mentally calculate a percentage now, it would be roughly what?

Mr. JACOBSON. Roughly, close to 3½ percent, I suppose. I have not figured those out, but I will be glad to do that.

I think our point is really that the making available of part-time opportunities necessarily will vary within the different departments and for different programs and different kinds of jobs.

There are certain kinds of jobs we feel do not lend themselves particularly to part-time employment. There are other kinds of jobs that do. We think that to the extent that we have the types of positions which do lend themselves to this type of employment opportunity, we should maximize the use of this part of the labor market.

I must add, of course, that we also feel it is necessary to deal with the whole problem. We are faced with applications, each year, from almost 2 million citizens for Federal jobs, and a small proportion of these are interested in part-time employment. We make about 175,000 hires a year. Now the number of those who are part time will vary greatly. We find, for example, that in certain kinds of agencies and certain kinds of conditions we have had very effective use of part-time people and we would like to see more of them. As a specific example, if I can get personal in terms of my own responsibilities, I have a staff of 190-some employees in the Bureau of Policies and Standards in the Civil Service Commission. It is not a large bureau, but an organization that does, we think, very significant work. We have at the moment nine part-time people working in professional and clerical jobs, working at several levels.

These are people who are making a very effective contribution to the work of our bureau. I am proud of them, I am happy to have them. We are making attempts right now to find more such people. But I must say that we do feel that the establishment of the kind of requirements that this law would seem to lay on the Federal agencies, to put a uniform requirement on all agencies at all levels, to have certain fixed numbers of part-time positions available, is simply unrealistic.

We believe, for example, that in many of our blue collar and trades positions—and we have something like 600,000 of our total Federal employment in that area—we really think that the skills will not be available for the large part of the labor market. We do have some part-time blue collar employees, but not a large proportion.

For certain jobs, such as border patrol officers, park rangers, or foresters, where they tend to work in relative isolated circumstances, we think the use of part-time people is going to be rather difficult from everybody's concerns, and therefore we cannot see applying a kind of uniform requirement or standard.

I should also note that the Civil Service Commission has focused on the problem of part-time opportunities through our responsibilities under the Equal Employment Opportunity Act. As part of that total program, as part of the Federal woman's program component of the equal opportunity program, we are getting information from agencies on their affirmative action plans. Where we find that their plans are not adequate, we are dealing with that on an individual basis, with individual agencies.

We really think this problem has to be approached individually, by job site, by agency, by work situation, and by the market conditions. I think there has to be recognition of the real relationship between market and available opportunities.

The techniques for dealing with the problem perhaps have not been stressed enough. We are certainly willing to explore the possibility of trying to emphasize more to the agencies both their responsibilities and the flexibilities possible in the system. For example, I noticed that in the testimony of Senator Tunney this morning there was reference to inflexibility in the system insofar as manpower controls of ceilings are concerned. We dealt with this problem some 2 years ago, with the Office of Management and Budget. We looked at it specifically with them.

We arrived at agreements with them as to their willingness to treat part-time work flexibility, and we issued to all departments and agencies of the Government formal instructions which explained how they might deal with this problem. I would be glad to submit a copy of that letter for the record.

The CHAIRMAN. I would like to have a copy of that for the record, and if you could, summarize or make a summation or listing of other ways in which the record would show that the Commission has encouraged greater flexibility in this direction.

Mr. JACOBSON. There are two or three other items. I will be glad to submit those for the record.

I think the only other point I would like to make is that while the bill has the title of flexible hours, and there was reference to this in both testimonies of Senator Tunney and Congresswoman Abzug this morning, I have a little problem understanding the intention—

The CHAIRMAN. I think it is Congress—

Mr. JACOBSON. Pardon me. I have a little trouble understanding how this bill relates to what is popularly known as flex time; that is, an arrangement in which employees have more freedom in setting their own hours, in which the employer and employee work out a schedule appropriate to particular circumstances—somebody comes in a little early

or leaves later, something of this sort—this bill seems to me to not be related to that. It seems to be related only to part-time employment as I read it, at least as I read section 7 of the bill, and I may be misreading it. But it seems to me that section 7 in effect says that this can only deal with people who are employed for 20 hours, and that people employed more than that would not be counted.

I may be misreading that, because we have not had a great deal of time to study it. At this point at least it seems to us to read rather strangely.

The question of flex time is a quite different question than this bill deals with. It may well be that the Commission and the committee may want to turn its attention to that. Here we are presently exploring separately with the agencies and with our General Counsel the possibility under the present provisions of law to deal with some of the ideas about experimentation with variable work schedules or flex time. The provision of the law that we are concerned about here is that section of title 5 which deals with the requirement for a 40-hour week and an 8-hour workday, and provides for overtime beyond 8 hours in any one day or beyond 40 hours in any one week.

The question of whether we could authorize under the present wording of the law experimentation with flex time, that is 40 hours spread some way differently, is a question we are currently having a good deal of trouble wrestling with legally. We may find we might need to seek legislative solution here, rather than be able to do it under the current legal structure.

If we feel we can do it under the current legal structure, we would hope to have some experimentation going on in that area, and several Government agencies have expressed an interest.

The CHAIRMAN. The reason for this hearing and the obvious explanation for the deep concern on this is that there is or has not been a great deal of movement on it or perhaps, probably more awareness of it than many would have thought. But before we had equal employment opportunity agencies, before these things came center stage, there was, for whatever reason, whether it was comfortableness or the habit of having done it differently for so long, that they seem to have impressed on the sensitivity to the changing climate in this whole area. That is the reason for the concern. I think if there had been more fluid track record even on this, that this kind of bill might not have occurred. So you get it drawn in the dimensions that we have it in the pending bill.

What we are really exploring here is not this bill as the ultimate answer necessarily. We want to arrive at a wise answer all the way around. Significant movement would be one of the keys, rather than for studies of problems.

Mr. JACOBSON. I think my only reaction, Senator McGee, would be that—if we separate the two issues, part time versus flex time—in the area of part time we are already doing a great deal. I think it is evidenced simply by the data, the statistics I have given. Whether statistics appear adequate to any particular individual, I do not know.

The CHAIRMAN. The law you allude to may be a factor that requires legislative adjustment. I think that is quite obvious.

Mr. JACOBSON. I would just make one other point, as far as the law goes, the law does not give us any problem with part-time employees.

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In connection with another point made by Senator Tunney this morning, the present part-time regular employees of the Federal Government do receive all the benefits. That is, they receive their proportionate share of leave, retirement, and everything else to which a full-time employee would be entitled. We do not have a problem with them. We do have a problem, but it is with a much smaller part of the part-time population. There are a few people in the temporary category, temporary part-timers, who do not receive some of these benefits. If they are genuine temporaries, I do not think that is really a legitimate problem. However, if they are temporaries who are really not temporaries, but called that, then I do think it is a legitimate problem.

But in terms of part-time staff with regular tours of duty, generally speaking, they do get all the benefits of the full-time work force. They are not distinguished. It is not a two-class society.

The CHAIRMAN. What problems would this give you if it were shifted to the Department of Labor—administratively?

Mr. JACOBSON. We have taken position quite specifically in our report that matters pertaining to Federal employment and to the Federal work force, as a work force, should not be divided between the Civil Service Commission and other agencies. We feel that we are the central agency of the Government that is charged by the Congress and by the President with personnel management leadership. We take that responsibility seriously and we do not feel that this responsibility should be assigned some place else. Besides then you face the administrative officers of the Government with having to carry out their jobs, doing the public's business, with the confusion of having directions, orders, and instructions emanating from different sources without coordination or clearance.

This is simply, we feel, an intolerable and unwise situation. We would very strongly oppose placing such authority with the Secretary of Labor.

The CHAIRMAN. I know we will have some more questions for you after we get the full record made. But subject to that, I have no more questions at this time.

Mr. JACOBSON. I will be glad to deal with your staff or you at any time.

The CHAIRMAN. Thank you very much.

[The aforementioned material follows:]

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UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

IN REPLY PLEASE REFER TO

YOUR REFERENCE

OCT 10 1973

Honorable Gale W. McGee  
Chairman  
Committee on Post Office and Civil Service  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am submitting additional material for the record in support of my testimony on S. 2022 given Wednesday, September 26, 1973.

The statistics shown on the attached sheet represent employment as of June 1973 and exclude employees in agencies with personnel ceilings of 2,499 or less. These agencies account for less than one per cent of the Executive work force.

Copies of the following U. S. Civil Service Commission issuances relating to or which include information on part-time employment are also enclosed.

FPM Letter 312-3      Employment Ceilings and Part-time Positions on Employment

FPM Letter 713-22      Equal Employment Opportunity Plans - Appendix II, page 9 --  
Cites need to make available part-time opportunities by agencies.

Pamphlet No. FEEO 2      The Federal Women's Program: A Point of View -- Section on part-time employment

Sincerely,

*Raymond Jacobson*  
Raymond Jacobson  
Director  
Bureau of Policies and Standards

Enclosures

THE MERIT SYSTEM—A GOOD INVESTMENT IN GOOD GOVERNMENT

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PART-TIME EMPLOYMENT STATISTICS

Employee Category	Total Full-time Permanent Employees	Part-Time Regular Employees %	Part-Time Intermittent Employees %	Total Part-Time Employees %
Federal (exclude Postal Service)	1,874,445	24,911 -- 1.3%	35,544 -- 1.9%	----- 3.2%
Postal Service	547,283	105,139 -- 19.0%	28,133 -- 5.1%	----- 24.1%
Total	2,421,728	130,050 5.4%	+ 63,677 2.6% = 193,727 8.0%	

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IN FPM CHAPTER 312  
RETAIN UNTIL SUPERSEDED.

FPM LTR. NO. 312- 3

UNITED STATES CIVIL SERVICE COMMISSION  
FEDERAL PERSONNEL MANUAL SYSTEM

LETTER

FPM LETTER NO. 312-3

Washington, D.C. 20415

March 29, 1971

SUBJECT: Employment Ceilings and Part-Time Positions or Employment

*Heads of Departments and Independent Establishments:*

New FPM Material

Because the Office of Management and Budget administers the ceilings on employment, the Federal Personnel Manual has had little, if anything, to say about these ceilings. It has, however, become evident that users of the Manual need certain basic information about the ceilings, especially as they apply to part-time employment.

The Office of Management and Budget has cleared for technical accuracy a statement we are issuing in the FPM, chapter 312. The statement is designed to provide positive guidance to personnel people and to correct any mistaken impressions that desirable part-time employment opportunities cannot be fostered because a part-time employee must always be counted as a full-time employee under the ceiling.

Establishment of Ceilings

Maximum allowable employment figures (employment ceilings) for each agency are determined by the President at the time of the annual budget review, both for the end of the fiscal year then in progress and for the end of the succeeding fiscal year. These ceilings are administered by the Executive Office of the President, Office of Management and Budget.

Ceilings as Controls

a. Two kinds of ceilings are established. These are (1) full-time permanent employment, and (2) total employment. By subtracting (1) from (2) the difference, called a "derived ceiling", becomes, in effect, a limitation on the number of part-time, temporary, and intermittent employees. Since all ceilings apply to the last day of each fiscal year, June 30, the agencies have flexibility as to how to apply these ceilings within the year, particularly with respect to the non-full-time employment.

INQUIRIES: Bureau of Policies and Standards, Code 101, Ext. 25582

CSC CODE 312, Position Management

DISTRIBUTION: FPM

PPM LT: 312-3 (2)

b. All employment is subject either to the actual full-time employment ceiling or to the derived ceiling. All employees in each category of employment must be included in the monthly employment reports which are furnished to the Congress and which the Committees of the Congress, the President, and the Office of Management and Budget use to monitor administration of the ceiling requirements.

c. Most agencies understand clearly how requests for revisions in employment ceilings must be submitted to the Office of Management and Budget and what thorough justification must be advanced to support an asserted need for additional employment. (See OMB Circular A-64 and its revisions.) Misunderstanding has however arisen from time to time with respect to part-time employment.

d. For purposes of this discussion, a part-time employee, regardless of the nature of his or her employment, is one who works less than 40 hours a week. The employment may be regular and recurring (loosely referred to as "permanent"); it may be for a temporary period; or it may be intermittent in the sense that the person works only when called in, but it is still the kind of employment which is subject to the derived ceiling.

Ceiling: Spaces to Meet Needs for Part-time Employees

a. The Office of Management and Budget states that if persons seeking regular, permanent, part-time jobs have been told that it is impossible to offer this kind of employment because each such position must be charged against the full-time permanent ceiling, they have been incorrectly advised. The first course of action that an agency should always explore is to make a determination whether the assigned total employment ceilings are large enough to accommodate a desired part-time program. Part-time employees can be hired against vacancies in the derived ceiling as well as against vacancies in the full-time permanent ceiling. These hirings against vacancies can be carried out without recourse to the Office of Management and Budget.

b. If, however, the derived ceiling is not high enough to meet an agency's legitimate needs for part-time employment, an attempt should be made to accommodate the part-time employee within the full-time permanent ceiling. If this accommodation is not possible, an application to the OMB for the conversion of spaces from the full-time permanent ceiling to the derived ceiling to permit splitting full-time jobs "would normally receive favorable consideration upon request." In other words, the application of the ceiling need not always force an agency to count a part-time employee as the equivalent of a full-time employee or reduce the total man-hours of employment available to an agency.

FPM LTR. 312-3 (3)

Examples

o Two persons each working 20 hours a week equal one job of 40 hours a week full-time. If employment of two such persons could be accommodated in existing ceilings without change, they would count as two individuals in the total employment ceiling. However, if their employment could not be accomplished under the total ceiling, the Office of Management and Budget would, upon request, reduce the full-time permanent ceiling by one and increase the total employment ceiling by one, thus increasing the derived ceiling for part-time, temporary, and intermittent employment by two.

o Similarly, if the employment of four part-time employees each working 30 hours a week could not be accommodated within the ceiling, the revision to be requested would be to reduce the full-time ceiling by three (120 man-hours) and increase the total ceiling by one, thus increasing the derived ceiling for part-time, temporary, and intermittent employment by four.

c. The principles involved apply to program-size adjustments that might actually be requested and not simply to the small number of cases used for illustrative clarity.

Fostering Appropriate Part-time Employment

The Office of Management and Budget and the Civil Service Commission have strongly urged that government agencies make employment available to women who can work only part-time; to the physically handicapped, some of whom cannot work full-time; to persons who want to work only part-time because of their desire to continue their education; and to other appropriate categories. If executive agencies wish to move along similar lines, they will find the Office of Management and Budget administers the ceilings in a way that permits and encourages the kind of flexibility that results in improved efficiency and productivity.

*Nicholas J. Oganovic*

Nicholas J. Oganovic  
Executive Director

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FPM LTR. NO. 713-22

UNITED STATES CIVIL SERVICE COMMISSION

FEDERAL PERSONNEL MANUAL SYSTEM

LETTER

FPM LETTER NO. 713-22

Washington, D.C. 20415  
October 4, 1973

SUBJECT: Equal Employment Opportunity Plans

*Heads of Departments and Independent Establishments:*

1. The purpose of this Letter is to share with you some thoughts based on our experiences in the Commission's first year of reviewing EEO Affirmative Action Plans submitted under Public Law 92-261, and to provide detailed guidance including a format for submission of EEO action plans due November 1, 1973 and thereafter. This guidance is a direct outgrowth of our first year's experience as well as suggestions from many agencies, and should help you develop increasingly meaningful and results oriented EEO plans which can be reviewed expeditiously by the Civil Service Commission.

2. During this first year of operation under P.L. 92-261, the CSC reviewed many agency national and regional EEO Affirmative Action plans. There were very few cases where we were able to approve a plan without first requiring that the submitting agency or field installation make modifications. Following are some of the more common deficiencies which prevented immediate approval:

a. Lack of evidence that an assessment of the status of equal employment opportunity in the agency or the subordinate organizational unit covered by the plan was made preparatory to plan development. This is probably the most frequently noted deficiency. Without such an assessment, it is difficult for an agency to determine what action needs to be taken to overcome problems relating to equal employment opportunity and the resulting plan is likely to be one that does not deal with the real problems of the organization. Some agencies appear to have "filled in" items under the various action areas required by Commission guidelines without having first determined the problems the actions were intended to overcome in the particular agency.

INQUIRIES: Office of Federal Equal Employment Opportunity, (202) 632-4420

CSC CODE 713, Equal Employment Opportunity

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FPM Ltr. No. 713- 22 (2)

b. Weak Upward Mobility plans. Although this plan element is required specifically by law, many agencies failed to specify programs under which opportunities are made available to employees for enhancing skills so they can advance in accordance with their potential and capability and the opportunities available for upward movement in the job structure.

c. Lack of responsiveness to the 16-Point Program for the Spanish-surnamed and the Federal Women's Program. This is also symptomatic of failure to review adequately the current EEO status within the organization and to consult with minority group and women's organizations, unions, and community groups as appropriate.

d. Vague general statements rather than specific action items and lack of target dates. It is nearly impossible to assign a firm target date to an action item that is in actuality a statement of broad policy or general intent. Agencies which have failed to complete either an assessment of their current EEO status or an accomplishment report, or both, often resort to such general statements without target dates, in writing their EEO plans.

e. Failure to involve line managers and supervisors in carrying out appropriate plan items. When a plan assigns very few operating managers and supervisors (such as bureau, agency, or division heads depending on the size, nature, and geographic distribution of the agency) responsibility for carrying out action items, and when most of the actions are assigned to Personnel or EEO staffs, chances are that the plan has been prepared without the cooperation of and coordination with operating officials and the plan will solve few if any of the real EEO problems of the organization. Further, the managers and supervisors must recognize and carry out their continuing responsibilities in the EEO program. It is important, therefore, that they become involved in developing and applying the affirmative action plan and the plan should reflect their involvement in the expected accomplishments.

f. Failure to devote adequate resources to the EEO Program. The failure of agencies to submit action plans on a timely basis and the failure to handle complaints within time limits indicate a need to give this activity higher priority including, where needed, additional staff resources to adequately administer the EEO program. Agencies should assess their staffing in light of their EEO problems and the number of employees involved and make necessary staff adjustments to assure that sufficient resources are available to maintain an efficient and effective program. Equal employment opportunity must be top priority in an agency and staffing, including full time staff where needed, should reflect this priority.

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g. Goals and Timetables in EEO action plans. The establishment of numerical goals and timetables is a useful management concept that can significantly enhance EEO plans where the use of such goals will contribute to the resolution of equal employment opportunity problems. When used, goals should be set at the lowest practicable level in the agency to assure that they are reasonable in terms of their relationship to hiring needs and the skills available in the recruiting area. Furthermore, national plans should clearly indicate that the establishment of local goals must be consistent with merit principles and not be stated so as to imply preferential selection procedures.

3. The guidance included in this Letter should assist in overcoming the common plan deficiencies noted above and others. Appendix I consists of a fuller explanation of how EEO plans should be developed and the requirements for submission. Appendix II is a guide to the organization and format and sets forth the minimum requirements for all agency annual EEO plans. The revised format should be used for all annual national and regional plans beginning with those national plans due for submission to the CSC November 1, 1973.



Bernard Rosen  
Executive Director

Attachments

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APPENDIX I  
DEVELOPING AND SUBMITTING AGENCY EEO PLANS

SUBMITTING EEO PLANS

NATIONAL EEO PLANS

1. Each agency is required to submit a national EEO plan which is responsive to the overall needs of the agency and requires action by subordinate organizational units to assure equal employment opportunity. To insure that Commission offices have adequate time to review agency plans and secure such modifications as may be necessary prior to approval, the schedule shown in Attachment 1 to this Appendix should be followed for submission of EEO plans. The Commission's written approval is required prior to any change in submission dates.

REGIONAL EEO PLANS

2. In addition to national plans, agencies are required to submit "regional" EEO plans to the Civil Service Commission. The purpose of regional plans is to assure that specific plans are developed by each agency on a geographic basis to encourage affirmative action based on local equal employment opportunity conditions. Because of the organizational differences among agencies, there are variations among agencies with regard to the area of coverage in "regional" EEO plans. The CSC, after discussions with headquarters offices of agencies with field establishments, has established arrangements for the submission of regional plans to the Commission. The following criteria are considered in the establishment of individual agency "regional" coverage definitions:

- o Regional EEO plans must reflect the organizational arrangements of the particular agency. In determining area of coverage of the plan, consideration is given to where the appointing authority is vested.
- o Regional EEO plans must provide for a particularized view of agency staffing and EEO activity within a defined geographical area (e.g., region, State, SMSA, major field establishment).
- o Regional EEO plans should cover a large enough segment of the agency's workforce to make their review and approval by the Commission on a decentralized basis meaningful and administratively feasible.

3. Agency regional plan coverage will be reviewed periodically by the CSC's central office to assure that the arrangements are providing effective and meaningful coverage of agency field activities.

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4. Regional EEO plans for each agency should be submitted 90 days after the due date for the agency's national plan. Regional plans must be submitted according to this schedule, whether or not final action has been taken on the agency's national plan. Where the national plan hasn't received final Commission approval, regional plans can be developed by building on last year's plan, Commission plan critiques and current Commission guidance or instructions.

5. CSC Regional Directors have been delegated full responsibility for the review and approval of agency regional plans. All questions relative to regional plans should be directed to CSC Regional Directors. Agency regional plans should be submitted to the appropriate CSC Regional Director for review and approval in accordance with the arrangements agreed to by the agency headquarters and the Commission's Office of Federal Equal Employment Opportunity.

6. Agency activities not required to submit regional plans are not exempt from the requirement to prepare plans and must develop such plans and have them available for review by the CSC. CSC Regional Directors may require regular submission of additional plans beyond those agreed to at the headquarters level.

DEVELOPING EEO PLANS

ASSESSMENT REPORT

7. The first step in action plan development is to assess the current status of equal employment opportunity within the agency, to locate problem areas, assign objectives and goals, and develop action items designed to overcome identified problems. Employees, labor organizations, minorities' and women's groups and other interested parties should be consulted and their input considered in development of agency EEO plans. Agencies should also draw upon the results of personnel management and EEO program evaluations conducted by the CSC or agency internal evaluation units.

Because of the importance of assessment to the development of a meaningful EEO plan, agencies will be required to submit, as a part of their annual EEO plan, an Assessment Report. This report should briefly summarize the assessment made by the agency of its EEO situation preparatory to developing the annual plan of action. The assessment should be comprehensive enough to provide for a clear analysis of the EEO situation in the agency or the subordinate organization and to identify EEO problems and particular situations needing corrective action. Requirements for this assessment, to be made preparatory to the development of the EEO plan, are given in Appendix II.

GOALS AND TIMETABLES

8. The establishment of numerical employment goals and timetables is a useful management concept that can significantly enhance EEO plans

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where the use of such goals will contribute to the resolution of equal employment opportunity problems. Affirmative action to attain goals must be carried out within the context of the merit system for Federal employment. Agencies must assure, when using goals and timetables, that the plan makes clear the necessity of achieving these goals through the merit system.

9. Employment goals and timetables should be established in problem areas where progress is recognized as necessary, and where such goals and timetables will contribute to progress, i.e., in those organizations and localities and in those occupations and grade levels where employment of minorities and women is not what should reasonably be expected in view of the potential supply of qualified members of minority groups and women in the workforce and in the recruiting area, and available opportunities within the organization. In addition to using turnover data and other information relating to anticipated hiring levels, the skills composition of minorities and women in the recruiting area used by the organization and the occupational nature of the jobs in the organization must be considered. For example, professional positions are often filled from a regional or national labor market while trade and clerical positions are usually filled from the local labor market.
10. To be meaningful, goals and timetables should be developed according to organizational levels and components rather than establishing agency-wide goals which do not take into account local circumstances or occupational differences. Detailed statistics on employment of minorities and women will aid in identifying areas where additional affirmative action is required and can be used in developing specific EEO plan items for the level or component concerned. Goals and timetables should reflect considerations of data on estimated turnover and anticipated hiring, as well as estimated changes in the total number of positions, occupation by occupation, for the period covered by the timetables.
11. Employment goals and target dates should be reasonable and flexible indicators for management action. If goals and timetables are realistic, they will probably be met through appropriate affirmative action. Where they are not met, the reasons for this should be assessed by the agency management to see if the goals or target dates for their achievement should be adjusted, or if additional affirmative actions are needed, including the further commitment of resources to agency recruitment and upward mobility efforts.
12. National plans should provide guidance and instructions to subordinate components and installations on the development of goals and timetables geared to specific local employment conditions and EEO problems as outlined above, and as identified by the agency's assessment of the current status of EEO preparatory to the development of the EEO plan.

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ACTION ITEMS

13. Action items should be clearly but briefly stated, along with the organization or official assigned responsibility for carrying out each item, and the target date for its accomplishment. The use of vague generalities in describing actions to be undertaken, results expected, target dates, or responsible officials should be avoided. While long range objectives are desirable, the plan should more distinctly reflect the progress expected during the life of the plan, which will be no more than one year.

14. Action items should be designed and displayed in such a manner as to facilitate and encourage changes to improve, update, and expand on them as appropriate. Agencies should avoid emphasis on statements of policy or of general intent which lack specificity. Plans should contain brief, significant action items which are based on the existing employment situation and which respond to currently identified problem areas or impediments to equal employment opportunity in all organizational units, occupations, and levels of responsibility. Since each plan should contain a provision for periodic review and change, if appropriate, at specified intervals, and must be superseded by a new plan every twelve months, the format for action items should be designed to permit easy entry of dates on which goals were accomplished or of dates of significant progress toward accomplishment of goals. Appendix II includes a suggested format for EEO plan action items.

TARGET DATES

15. Specific actions must be coupled with firm commitment in terms of meaningful target or completion dates. The establishment and publication of appropriate achievable target dates in a plan put responsible officials on notice that they are expected to accomplish the action within the prescribed period of time, or be held accountable for their failure to do so.

16. EEO plans should avoid expressing target dates as "continuing", "now and continuing," "annually", "semiannually", etc. Calling for specific completion dates wherever feasible will enable program evaluators to determine in what manner the actions are being carried out and where immediate follow-up is needed. Establishment of precise time frames for completion of specific action items will indicate to responsible officials the rate of progress expected, and will enable them to plan their efforts accordingly. In those few cases where the establishment of fixed target dates would not be realistic, it is reasonable to schedule the action for "continuing" implementation, with

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periodic reports required to be submitted to the appropriate monitoring office. Some recruitment activities, for example, have to be conducted on an "as needed" basis, depending upon staffing needs. On the other hand, development of a recruitment plan or brochure, or any other plan, policy, or procedure, represents a concrete action for which a firm target date should be established.

INTERNAL PROGRAM EVALUATION

17. Ample provision must be made at agency headquarters and regional levels for monitoring and evaluating progress in carrying out the actions outlined in the EEO plan. Lines of feedback to the Director of Equal Employment Opportunity should be clearly established to avoid inaction and to identify problem areas in time to take corrective action. Agency headquarters officials should consider requiring regional managers to report periodically on the status of major action items and programs as they are in progress. Similar reports should also be required of local activities by regional office officials. With close follow-up and timely evaluation in all program areas, EEO program officials can keep subordinate offices informed on program ideas, progress, and problems, thereby reducing duplicative efforts in planning and development, and utilizing time and resources for program implementation.

18. More detailed guidance on agency internal EEO program evaluation is contained in Civil Service Commission Personnel Management Series Pamphlet No. 24, Guidelines for Agency Internal Evaluation of Equal Employment Opportunity Programs (January 1972), available from the Superintendent of Documents, U.S. Government Printing Office.

COVERAGE OF SPECIAL EMPHASIS PROGRAMS

19. An EEO plan should be responsive to and include, where appropriate, specific action items directed at special problems in assuring equal employment opportunity, including action items on the particular employment problems of women or of specific minorities, e.g., Negroes, Spanish-Speaking Americans, American Indians, Orientals, and Alaskan natives. This should be accomplished by including, under appropriate Action Area headings, action items called for in special emphasis programs, such as the Sixteen-Point Program for Spanish-Speaking Americans or the Federal Women's Program, so the action plan may be one consolidated and comprehensive document which speaks to the needs of all employees, but at the same time responds to the special employment problems of particular groups.

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AVAILABILITY OF THE EEO PLAN

20. An agency EEO plan is a public document and therefore agencies should, upon request, make it available for review or, if feasible, provide copies to interested individuals or organizations. In addition, agencies may want as a matter of practice to publish the plan widely. The plan should be prepared with the thought in mind that it will be scrutinized by many persons and groups. Therefore, it should be prepared carefully, address itself to the problems of assuring equal employment opportunity and spell out with specifics the actions that will be taken to overcome the problems.

EEO PLAN IDENTIFICATION

21. Each agencywide and regional EEO plan submitted to the Commission must include a title page identifying the submitting agency or office by name and address, and specifying the effective date and time frame of the plan. Public Law 92-261 and E.O. 11478 imposes responsibility for equal employment on the agency head. Therefore, the title page of the national EEO plan must include the signature of the agency head or deputy, and the agency Director of Equal Employment Opportunity, indicating their approval. The title page of the regional plan must include the signature of the regional agency official responsible for the EEO program in the activities or installations covered by the regional EEO plan.

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SCHEDULE FOR ANNUAL SUBMISSION OF AGENCY EEO PLANS TO  
THE CIVIL SERVICE COMMISSION FOR REVIEW AND APPROVAL

- o Agencies should obtain written approval from the Commission prior to changing the basis (fiscal/calendar) for submitting their plans of action.
- o Regional Action plans are due in the appropriate Regional Commission office 90 days after submission of the national plan.

ACTION	Fiscal Year	May 1
ADMINISTRATIVE CONFERENCE OF U.S.	Calendar Year	November 1
ADMINISTRATIVE OFFICE OF U.S. COURTS	Calendar Year	November 1
ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS	Calendar Year	November 1
AGENCY FOR INTERNATIONAL DEVELOPMENT	Calendar Year	November 1
AGRICULTURE, DEPARTMENT OF	Calendar Year	November 1
AIR FORCE, DEPARTMENT OF	Calendar Year	November 1
AMERICAN BATTLE MONUMENTS COMMISSION	Calendar Year	November 1
APPALACHIAN REGIONAL COMMISSION	Calendar Year	November 1
ARMS CONTROL AND DISARMAMENT AGENCY	Calendar Year	November 1
ARMY, DEPARTMENT OF	Calendar Year	November 1
ARMY AND AIR FORCE EXCHANGE SERVICE	Calendar Year	November 1
ATOMIC ENERGY COMMISSION	Calendar Year	November 1
CABINET COMMITTEE ON OPPORTUNITIES FOR THE SPANISH-SPEAKING	Calendar Year	November 1
CANAL ZONE GOVERNMENT	Calendar Year	November 1
CENTRAL INTELLIGENCE AGENCY	Calendar Year	November 1

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<u>Agency</u>	<u>Period of Coverage</u>	<u>Due in CSC</u>
CIVIL AERONAUTICS BOARD	Fiscal Year	May 1
CIVIL SERVICE COMMISSION	Fiscal Year	May 1
COMMERCE, DEPARTMENT OF	Calendar Year	November 1
COMMISSION ON CIVIL RIGHTS	Calendar Year	November 1
COMMISSION ON FINE ARTS	Calendar Year	November 1
COST OF LIVING COUNCIL	Calendar Year	November 1
COUNCIL OF ECONOMIC ADVISORS	Fiscal Year	May 1
COUNCIL ON ENVIRONMENTAL QUALITY	Calendar Year	November 1
DEFENSE, DEPARTMENT (Office of Secretary)	Fiscal Year	May 1
DEFENSE CIVIL PREPAREDNESS AGENCY	Calendar Year	November 1
DEFENSE COMMUNICATIONS AGENCY	Fiscal Year	May 1
DEFENSE CONTRACT AUDIT AGENCY	Fiscal Year	May 1
DEFENSE INTELLIGENCE AGENCY	Fiscal Year	May 1
DEFENSE INVESTIGATIVE SERVICE	Fiscal Year	May 1
DEFENSE MAPFING AGENCY	Calendar Year	November 1
DEFENSE NUCLEAR AGENCY	Calendar Year	November 1
DEFENSE SUPPLY AGENCY	Calendar Year	November 1
D.C. GOVERNMENT	Calendar Year	November 1
D.C. REDEVELOPMENT LAND AGENCY	Calendar Year	November 1
ENVIRONMENTAL PROTECTION AGENCY	Fiscal Year	May 1
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	Fiscal Year	May 1
EXPORT-IMPORT BANK OF U.S.	Calendar Year	November 1
FARM CREDIT ADMINISTRATION	Fiscal Year	May 1
FEDERAL COMMUNICATIONS COMMISSION	Fiscal Year	May 1

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<u>Agency</u>	<u>Period of Coverage</u>	<u>Due in CSC</u>
FEDERAL DEPOSIT INSURANCE CORPORATION	Fiscal Year	May 1
FEDERAL HOME LOAN BANK BOARD	Fiscal Year	May 1
FEDERAL MARITIME COMMISSION	Fiscal Year	May 1
FEDERAL MEDIATION AND CONCILIATION SERVICE	Fiscal Year	May 1
FEDERAL POWER COMMISSION	Fiscal Year	May 1
FEDERAL RESERVE SYSTEM	Fiscal Year	May 1
FEDERAL TRADE COMMISSION	Fiscal Year	May 1
FOREIGN CLAIMS SETTLEMENT COMMISSION	Calendar Year	November 1
GENERAL SERVICES ADMINISTRATION	Fiscal Year	May 1
GOVERNMENT ACCOUNTING OFFICE	Calendar Year	November 1
GOVERNMENT PRINTING OFFICE	Fiscal Year	May 1
HEALTH, EDUCATION AND WELFARE, DEPARTMENT OF	Fiscal Year	May 1
HOUSING AND URBAN DEVELOPMENT, DEPARTMENT OF	Fiscal Year	May 1
INDIAN CLAIMS COMMISSION	Calendar Year	November 1
INTER-AMERICAN FOUNDATION	Calendar Year	November 1
INTERIOR, DEPARTMENT OF	Fiscal Year	May 1
INTERSTATE COMMERCE COMMISSION	Fiscal Year	May 1
JUSTICE, DEPARTMENT OF	Calendar Year	November 1
LABOR, DEPARTMENT OF	Fiscal Year	May 1
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	Calendar Year	November 1
NATIONAL CAPITAL HOUSING AUTHORITY	Fiscal Year	May 1
NATIONAL CAPITAL PLANNING COMMISSION	Calendar Year	November 1
NATIONAL CREDIT UNION ADMINISTRATION	Fiscal Year	May 1

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<u>Agency</u>	<u>Period of Coverage</u>	<u>Due in CSC</u>
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	Fiscal Year	May 1
NATIONAL GALLERY OF ART	Fiscal Year	May 1
NATIONAL GUARD BUREAU	Calendar Year	November 1
NATIONAL LABOR RELATIONS BOARD	Calendar Year	November 1
NATIONAL MEDIATION BOARD	Calendar Year	November 1
NATIONAL SCIENCE FOUNDATION	Calendar Year	November 1
NATIONAL SECURITY AGENCY	Calendar Year	November 1
NAVY, DEPARTMENT OF	Calendar Year	November 1
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	Calendar Year	November 1
OFFICE OF MANAGEMENT AND BUDGET	Calendar Year	November 1
OFFICE OF SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS	Calendar Year	November 1
OFFICE OF TELECOMMUNICATIONS POLICY	Calendar Year	November 1
OVERSEAS PRIVATE INVESTMENT CORPORATION	Fiscal Year	May 1
POSTAL RATE COMMISSION	Calendar Year	November 1
RAILROAD RETIREMENT BOARD	Calendar Year	November 1
RENEGOTIATION BOARD	Calendar Year	November 1
SECURITIES AND EXCHANGE COMMISSION	Fiscal Year	May 1
SELECTIVE SERVICE SYSTEM	Calendar Year	November 1
SMALL BUSINESS ADMINISTRATION	Fiscal Year	May 1
SMITHSONIAN INSTITUTION	Fiscal Year	May 1
SOLDIERS HOME	Fiscal Year	May 1

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<u>Agency</u>	<u>Period of Coverage</u>	<u>Due in CSC</u>
STATE, DEPARTMENT OF	Fiscal Year	May 1
TRANSPORTATION, DEPARTMENT OF	Fiscal Year	May 1
TREASURY, DEPARTMENT OF	Fiscal Year	May 1
U.S. INFORMATION AGENCY	Fiscal Year	May 1
U.S. POSTAL SERVICE	Fiscal Year	May 1
U.S. TARIFF COMMISSION	Fiscal Year	May 1
U.S. TAX COURT	Calendar Year	November 1
VETERANS ADMINISTRATION	Fiscal Year	May 1
WATER RESOURCES COUNCIL	Calendar Year	November 1

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APPENDIX II  
GUIDE FOR ORGANIZATION AND CONTENT OF  
AGENCY ANNUAL EEO PLANS OF ACTION

PURPOSE

1. This guide is designed to assist agencies in the preparation of Equal Employment Opportunity action plans and sets forth minimum requirements for action plans. Agencies should follow closely the directions of this guide to assure that they have provided coverage of all mandatory items in their plans. Further, the format outlined below, which separates administrative and policy matters from those action items intended to be accomplished during the life of the plan should result in a more functional and productive plan.

2. The action plan should be arranged into four major parts:

Part A - Introduction: This part provides a brief explanation of the agency's organization for carrying out EEO, with personnel and resources allotted to carry out the responsibilities involved in a positive program including development of the annual action plan and the administration of the discrimination complaint system.

Part B - Report of Accomplishments of Last Year's Plan

Part C - Report of Assessment of Current EEO Situation  
Preparatory to Development of the Annual Action Plan

Part D - Report of Specific Actions for the Coming Year

3. This guide sets out below the manner in which the plan should be structured for submission to the Civil Service Commission for review and approval. We expect each plan to respond in its action items to the agency's particular and current EEO situation and problems as identified by a thorough assessment of its own workforce. The national plans of large departments and agencies with extensive field structures are expected to require of their field installations and regional directors the assessment of local and regional EEO situations and problems preparatory to development of their EEO plans as outlined in Part C of this guide.

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PART A - INTRODUCTION

4. Agencies should provide in this Introduction a brief summary description of their organization for carrying out the EEO program activities, including, but not necessarily limited to:

- a. Brief statements to explain the functions, roles, and interrelationships of important EEO program officials, such as the Director of EEO, the EEO Officers, Federal Women's Program Coordinators, the 16-Point Program Coordinators, EEO Counselors, Discrimination Complaint Investigators, and other EEO Program Officials and employees and indicate the extent of expected involvement in the EEO program of line and staff managers and supervisors, unions and other employee groups, and employees.
- b. Resources allocated to the EEO program (see Attachment 3, format for submitting resource data).
- c. Certification as to qualifications of principal EEO officials (see Attachment 2, format for submitting certification).
- d. Provisions for training and orientation in personnel administration and in equal employment opportunity for staffs engaged in EEO work.

PART B - REPORT OF ACCOMPLISHMENTS

5. This section of the plan should provide a report on the accomplishments of the action items in the last annual plan. The report should speak specifically to action items explaining: (a) whether actions in the last plan were accomplished and if not, why not and (b) the results of these actions and whether they achieved the intended effect. In addition, for training and education programs supporting Upward Mobility for lower level employees, agencies are required to report, as part of the annual accomplishment reports in both national and regional plans, progress in reaching program objectives, the number of target positions actually filled, and the number of persons trained.

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PART C - REPORT OF ASSESSMENT OF THE EEO SITUATION  
PREPARATORY TO DEVELOPING THE ANNUAL EEO PLAN OF ACTION

6. This section of the plan should provide a brief summary of the results of the assessment made by the agency of its EEO situation, the EEO problems which require priority attention and solution, and the goals and objectives which management wants to achieve in the coming year to overcome identified obstacles to equal employment opportunity. The results of the assessment should lead to the development of specific action items by which the agency believes it can meet its goals and objectives. These then can be assigned to an appropriate office or official, to be accomplished by a realistic target date.

7. The assessment must be comprehensive enough to arrive at a clear analysis of the EEO situation in the agency and identification of real EEO problems or situations needing corrective action. Such an analysis may need to be developed for many organizational levels and for various categories of jobs, but should include at least:

- a. Composition of the agency's and subordinate organizations' workforce by racial, ethnic and sex groupings at the various grade levels and in appropriate organizational segments;
- b. Composition (by racial, ethnic and sex groupings and grade levels) of major job groupings such as professional or technical, clerical and office, executive and managerial, custodial and service;
- c. Availability of persons, including minorities and women, having the requisite skills and training in the agency's workforce and in the labor market which the agency uses as its recruiting source;
- d. Turnover rates in each of the skills utilized;
- e. The number and kinds of jobs expected to be filled in the coming year;
- f. Consideration of the sources and kinds of complaints of discrimination.

8. As in any management program, the EEO program should be evaluated periodically to assure that progress is being made towards achieving the objectives set forth in the plan. The evaluation of operations required to produce an accomplishment report (see Part B) at the end of the plan year may result in, for example, a conclusion that efforts must be made to reach all segments of the population particularly as related to certain occupations or components in the agency. This

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consideration of past accomplishments toward the objectives set down last year, should lead into this overall review of the agency's current EEO status and would in turn lead into the setting of new objectives, action items, and target dates for the new plan year. The objectives which the agency intends to accomplish during the plan year should be stated in this Part.

PART D - REPORT OF SPECIFIC ACTIONS FOR THE COMING YEAR

9. This section of the plan, REPORT OF SPECIFIC ACTIONS FOR THE COMING YEAR, will contain only those actions which the agency is planning to take during the twelve months of the plan year, to solve the problems identified by its assessment of the current EEO status in the organization.

Action Subject Headings

10. This section should be organized under the eight headings listed below.

1. Organization and Resources to Effectively Administer a Positive EEO Program Including Processing of Discrimination Complaints and EEO Counseling.
2. Recruitment Activities Designed to Reach and Attract Job Candidates From All Sources.
3. Full Utilization of the Present Skills of Employees.
4. Opportunities for Enhancing Employees' Skills in Order to Perform at Their Highest Potential and Advance in Accordance with Abilities in Light of Available Opportunity (Upward Mobility).
5. Training, Advice, Incentives, and Performance Evaluation to Ensure Program Understanding and Support by Supervisors and Managers.
6. Participation in Community Efforts to Improve Conditions Which Affect Employability in the Federal Government.
7. System for Internal Program Evaluation and Periodic Progress Reports to Agency Directors and to the Civil Service Commission.
8. Appendix - Programs and Activities for Participation in Employment and Training Programs for the Economically or Educationally Disadvantaged.

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Action Item Format

11. Based on past experiences with formats used by agencies for their EEO plans, we have found that the most effective action items contained the following elements:

- A brief description of the current situation or problem that the item is to deal with.
- The specific action(s) which will be taken during the life of the plan.
- The official responsible for carrying them out.
- The date by which it is to be accomplished.
- A provision for indicating in the plan next to the action item when the action is completed and the results.

Following is an example of how an action item might be reported in an action plan, providing adequate space is allowed for making appropriate entries.

Current Situation or Problems	Respon- sible Actions	Official	Target Date	Accomplishment Date and Results
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Action Items

12. Following are examples of subjects which might be addressed by specific action items and projects under each of the required eight action areas. Under item 4, Upward Mobility, there is an additional report format (Attachment 1) which must be submitted by all agencies as a part of their EEO plans. The situation or problems identified in these individual action items should be those the agency has determined to deal with in the coming year. If the agency has established a planning cycle of more than one year, the action plan should indicate the long-term goals in the Introduction (Part A) of the Annual EEO Plan, but it should not enter in the Specific Action section (Part C) of the Annual EEO Plan an action item with a target date later than the end of the plan year.

1. Organization and Resources to Effectively Administer a Positive EEO Program including Processing of Discrimination Complaints and EEO Counseling.

- Assure adequate staff throughout the organization (including all subordinate components) sufficient to effectively carry out a results-oriented equal employment opportunity program, including a full range of affirmative action and complaint processing activities.

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- Appoint sufficient Coordinators for the 16-Point Spanish Speaking Program and the Federal Women's Program at the central office and at major field installations to assure responsive program development and implementation of these special emphasis areas.
- Arrange for training and orientation in personnel administration and in equal employment opportunity for staffs engaged in EEO work.
- Provide sufficient resources to assure:
  - a. Final agency action on any complaint within six months of date formal complaint is filed and
  - b. Commencement of on-site investigation of all formal complaints within five days of receipt.
  - c. Processing of all complaints of discrimination, including investigation and issuance of proposed disposition, within 75 calendar days of receipt of a formal complaint, and issuance of a final decision no later than 180 days after filing of a complaint; follow-through when necessary to determine reasons for failure to meet target date and needs for corrective action.
  - d. Complainant is given written notice of final action taken on the complaint.
  - e. Assignment of adequate resources to expedite review and decision on complaints which have been investigated and heard.
  - f. Complaint files are reviewed and reports sent to agency head on corrective action taken based on findings in cases; follow-up to ensure correction of conditions which led to the filing of the complaints.
  - g. Review of all cases where there has been a finding of discrimination to determine the extent and kind of disciplinary action against supervisors or others which is warranted by the evidence in the case.
- Arrange for training and orientation in personnel administration and in equal employment opportunity for staffs engaged in EEO work.
- By periodic follow up with employees, counselors, persons counseled, or by other appropriate means, assure that employees and applicants have full freedom, without fear of reprisal, to use the complaint system to the fullest extent.
- Provide for replacement and training of EEO Counselors and Discrimination Complaint Investigators as needed, and for periodic review of the adequacy and competency of all personnel with complaint processing responsibilities.

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- Publicize through the use of posters, bulletin boards, employee notices or other media, the availability of EEO counseling; identify counselors by name, photograph, location and office phone number.
- Familiarize employees with the Federal Government's discrimination complaints system; distribute Civil Service Commission or agency developed literature outlining procedures.
- Appoint and train a sufficient number of EEO Counselors, so dispersed throughout the agency as to be available to employees. Provide at least one trained EEO Counselor in each separate installation with 50 or more employees, and sufficient trained counselors in each large installation that employees will have ready access to them (ratio ordinarily no less than one counselor to 500 employees.)
- Designate, train, or make arrangements to obtain from other sources such as the Civil Service Commission, a sufficient number of investigators to ensure timely, competent, and objective investigation of formal complaints of discrimination by personnel not associated with the unit in which the complaint arose. In addition to providing investigative skills, training should assure a meaningful appreciation and awareness of the objectives of the equal employment opportunity program.

2. Recruitment Activities Designed to Reach and Attract Job Candidates From All Sources

- Monitor agency recruitment efforts to ensure that they are reaching all sources, including minority and women's groups.
- Establish continuing recruitment relationships with schools and other educational institutions including those having significant numbers of female or minority group students, including contacts with fraternities, sororities, alumni groups, Spanish-speaking groups, etc.
- Make certain that recruiting efforts reach all segments of the society, including Black, Spanish-Speaking, and other minority groups.
- Insure that recruitment efforts for professional level occupations includes those sources likely to produce minority and women candidates (e.g., minority groups and women's organizations, professional societies, etc.)
- Make certain that recruitment literature is designed to reach all sources including women and minority groups. It may be necessary in some cases to design special literature (e.g., Spanish language literature).
- Develop work-study cooperative education programs and similar arrangements to prepare students for Federal employment, particularly in shortage-category occupations.

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- Assure that opportunities for part-time employment are made known to employees and applicants.
- Recruit Spanish-speaking applicants for positions identified as requiring a knowledge of the Spanish language.

3. Full Utilization of the Present Skills of Employees

- Conduct surveys of underutilized or nonutilized skills available in the existing workforce.
- Review qualification requirements used by the agency to assure they are not unrealistically high in terms of jobs to be done and that they do not screen out lower-level employees actually capable of performing the real functions of the jobs.
- Establish "skills banks" to match underutilized employees with available job opportunities.
- Restructure jobs and establish entry level and trainee positions to facilitate movement among occupational areas and enable employees to utilize skills they already have.

4. Submitting Plans for Training and Education to Support Upward Mobility for Lower Level Employees. See Attachment 1 for specific guidance on the development and submission of data reference to formal upward mobility programs. Listed below are general action areas for the Upward Mobility program:

- Provide for the establishment of training and education programs designed to provide maximum opportunity for employees to advance so as to perform at their highest potential. Identify programs and indicate numbers of employees who will receive such training.
- Provide career counseling and guidance to employees.
- Ensure that agency qualifications standards do not constitute unwarranted barriers to upward mobility.
- Create career development plans for lower grade employees who are underutilized or demonstrate potential for advancement.
- Establish career systems to increase opportunities for advancement, utilization, training and education of lower grade employees.

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- Establish personnel procedures which assure utilization of employees' skills, abilities, interests, training and potential.
  - Conduct positive programs of occupational analysis, job redesign, and job restructuring to provide new opportunities for entry employment, advancement, and bridges to higher grade job ladders.
  - Activate programs to communicate meaningful information on upward mobility programs and opportunities to employees.
5. Training, Advice, Incentives, and Performance Evaluation to Assure Program Understanding and Support by Supervisors and Managers.
- Include equal employment opportunity coverage in formal supervisory and managerial training courses.
  - Provide specific and practical training to instruct and advise supervisors and managers on carrying out their equal employment opportunity responsibilities.
  - Establish and implement realistic and fair criteria for evaluating supervisory and managerial performance in the EEO area.
  - Develop programs to identify and reward supervisors who contribute notably to EEO program success.
  - Utilize existing supervisory award programs to recognize exemplary achievement in furthering equal employment opportunity.
6. Participation in Community Efforts to Improve Conditions Which Affect Employability in the Federal Government.
- Actively support community equal housing efforts.
  - Assist employees who find inability to obtain suitable housing a barrier to acceptance of employment for which they are qualified.
  - Cooperate with local authorities in efforts to improve transportation between worksites and residential areas.
  - Cooperate with community groups in the establishment of child day-care centers needed by employees or applicants.
  - Establish continuing, productive relationships with minority and women's organizations in the community.

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- Assist colleges, technical schools, and high schools to improve the quality of education and to develop curricula which relate to the requirements of Federal positions.
- 7. System for Internal Program Evaluation and Periodic Progress Reports to Agency Directors and to the Civil Service Commission.
  - Collect, maintain, and analyze statistical data on employment of minority groups and women in all organizational and geographic areas.
  - Provide for internal agency review and evaluation on a regular basis of all EEO affirmative action program activities, including special emphasis program activities aimed at women or particular minority groups, e.g., Sixteen-Point Program for Spanish-speaking Americans.
  - Develop periodic internal reports on EEO program problems and progress, and submit periodic agency-wide reports to the Commission.
  - Periodically assess the effectiveness of all EEO activities, with emphasis on results as well as intent.
- 8. Appendix - Programs and Activities for Participation in Employment and Training Programs for the Economically or Educationally Disadvantaged and the Worker-Trainee Opportunities Program.
  - Participate in special programs of employment and training for the economically or educationally disadvantaged. (Agencies filing Affirmative Action plans will include a copy of their Worker-Trainee Opportunities plan prepared in accordance with requirements contained in CSC Bulletin No. 713-31, dated April 27, 1973.) Employ needy youth under Summer Aid, Stay-in-School, and Cooperative Work-Study Programs.
  - Participate in community-wide economic opportunity programs, e.g., Concentrated Employment Program, Neighborhood Youth Corps, which is mutually beneficial to the agency installation and the community.
  - Cooperate with local authorities in developing Manpower Development Training Act Programs or other vocational training programs to meet Federal employment needs.

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Submitting Plans for Training and Education to  
Support Upward Mobility for Lower Level Employees

A. Introduction

Agencies are required by P.L. 92-261 to include in their annual EEO plan, "provision for the establishment of training and education programs designed to provide a maximum opportunity for employees to advance so as to perform at their highest potential." It is particularly important that agencies do an effective and thorough job of planning and reporting their plans for providing upward mobility opportunities to employees.

While the law did not specify any minimum or maximum grade levels for upward mobility efforts, generally the greatest opportunity for impact is at the lower grade levels. Therefore, it is anticipated that most agency programs will be dealing with employees at the GS-7 (or equivalent) levels and below.

The following formats are to be used by agencies in preparing and reporting their plans for training and education designed to support upward mobility opportunities for lower level employees. Additional guidance in developing and implementing upward mobility programs can be found in the following Commission issuances:

- FPM Letter 410-9, January 26, 1971, Agency Use of Training Authority to Support Upward Mobility Programs for Lower Level Employees;
- "Upward Mobility for Lower Level Employees" pamphlet available from Government Printing Office (#19700-386-700).

Upward Mobility programs for lower level employees are systematic management efforts that focus Federal personnel policy and techniques--classification, counseling, selection, training, and development and evaluation--with the goal of developing and implementing specific career ladders for lower level employees possessing the potential to do higher level work in their agency. Such programs are occupationally-oriented, with heavy emphasis on work assignments and training activities that give participants in the programs a maximum opportunity to qualify for those career ladders in the work organization that have advancement potential.

Training and education to support such upward mobility programs for lower level employees provides opportunities to (a) qualify for consideration for higher level positions or series for which employees would not be qualified without formal training and/or education not

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ordinarily a part of their present jobs; or (b) qualify for consideration for higher level positions for which positive education requirements exist; or (c) qualify for consideration for higher level positions by progression through one or more bridge or trainee positions with training and/or education a part of this planned progression. Programs under (a) above may require a formal training agreement approved separately by the Civil Service Commission. (For further information on training agreement requirements, see Federal Personnel Manual Chapter 271, Subchapter 7 and Appendix A).

In submitting training and education plans to support upward mobility for lower level employees agencies should not include those programs in which persons who are primarily students in high schools, vocational schools, or colleges perform part-time or temporary work for the agency (e.g., Neighborhood Youth Corps, summer employment, cooperative education programs). Such programs should be reported in accordance with instructions under Action Area 8 of the EEO plan format.

B. National and Regional Plan Coverage

National and Regional Plan Coverage. Defining regions for the purpose of submitting plans is the same as stated for the overall EEO plan, and regional definitions are based upon negotiations between CSC and individual agencies.

National Plans. National plans should separately cover:

1. detailed descriptions of agency and bureau-wide plans which apply to employees in different geographic areas and which are centrally administered and controlled,
2. detailed descriptions of agency and bureau headquarters plans that apply only to employees in the headquarters area,
3. a summary of all regional programs with estimates as to number and types of positions involved, and
4. instructions to field installations on development and implementation of local Upward Mobility programs. This should also provide for reporting to and monitoring by the headquarters office.

Regional plans should cover those programs which are local in effect on employees and which originate or are administered and controlled at the field or installation level. This includes locally administered programs which may exist under a broad agency or bureau-wide authority or training agreement.

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C. Format

1. Individual training and education program plans. Agencies should follow the format below in submitting information on each individual training and education program to support upward mobility for lower level employees. These upward mobility training and education plans must be submitted as part of the overall EEO plans at the appropriate national or regional levels.

Individual Training and Education Program

- a. Identification and Objectives of Program
- Name of Program
  - Provide a brief summary of the objectives of the program
  - Location (geographic and organization)
  - Number of participants to be selected into programs during the planning year
  - Target series and grade levels for participants
  - Number of identified target positions
- b. Program Administration -- Provide a concise description of each program element listed below.
- (1) Lead administrative unit and title, address and telephone number of lead administrative official.
  - (2) Selection or intake methods (devices and criteria used to determine those best qualified for the program).
  - (3) Length and nature of training and education, including sources of training.
2. National plans must contain guidance to field installations on the development and implementation of local Upward Mobility programs. Agencies should provide instructions to local activities which require that they develop and implement programs in addition to those developed nationally. This guidance should provide for periodic reporting to and monitoring by the headquarters level. Specific action items should be included in the EEO action plan which cover the headquarters monitoring activities.

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REPORT OF QUALIFICATIONS OF PRINCIPAL EEO OFFICIALS

This form should accompany both national and regional EEO plan submissions. In the case of the national plan, the certification should cover all EEO officials agencywide. Regional certificates should cover only EEO officials in the activities or installations covered by the regional plan. This form should be attached to the appropriate plan upon submission to the Civil Service Commission.

(NOTE: Information is required on full-time and part-time personnel.)

I certify that the qualifications of all staff officials concerned with administration of the EEO Program including the following:

Director of Equal Employment Opportunity

EEO Officers

Federal Women's Program Coordinator(s)

Sixteen-Point Program Coordinator(s)

Other EEO Staff Officials

have been reviewed by competent authority and the incumbents of these positions meet the standards outlined in Qualifications Standards Handbook X-118 under "Equal Opportunity Specialist GS-160" or "Qualifications Guide for Collateral Assignments Involving Equal Employment Opportunity Duties". Evidence that the review has been made and its findings are on file and available for review by Civil Service Commission officials.

SIGNATURE OF DIRECTOR OF  
EEO OR OTHER OFFICIALS: \_\_\_\_\_ Date: \_\_\_\_\_

AGENCY OR INSTALLATION NAME: \_\_\_\_\_  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

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ALLOCATION OF PERSONNEL AND RESOURCES FOR EEO

The following sample report of allocation of personnel and resources illustrates the type of information and method of presentation required of agencies as inclusions in or attachments to their EEO plans of action. This data covers items appearing in Action Area 1 of the plan. National plans should include all personnel and items listed under Parts A, B, and C. Regional plans should omit A-1, B-1, and C-1.

A. Total Number of All Employees:  
1. (Includes Headquarters offices and Bureaus and similar subordinate components.)

2. Total Number of All Field Employees: \_\_\_\_\_

B. Total Number of EEO Program Personnel:

1. HEADQUARTERS: \_\_\_\_\_

	Full-time	Part-time
Director of Equal Employment Opportunity	_____	_____
Equal Employment Opportunity Officer(s)	_____	_____
Federal Women's Program Coordinator(s)	_____	_____
Sixteen-Point Program Coordinator(s)	_____	_____
Other EEO Office or Staff Officials	_____	_____
EEO Counselors	_____	_____
Discrimination Complaint Investigators	_____	_____
Others	_____	_____

2. FIELD: \_\_\_\_\_

Equal Employment Opportunity Officer(a)	_____	_____
Federal Women'a Program Coordinator(s)	_____	_____
Sixteen-Point Program Coordinator(s)	_____	_____
Other EEO Office or Staff Officials	_____	_____
EEO Counselors	_____	_____
Discrimination Complaint Investigatorsa	_____	_____
Others	_____	_____

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C. Personnel and Fiscal Resources

1. <u>HEADQUARTERS</u>	Man-Years	Dollars*
EEO Counseling	_____	_____
Complaint Processing	_____	_____
EEO Program Administration	_____	_____
EEO Subject-Matter Training	_____	_____
Upward Mobility Training and Education	_____	_____ **
Remarks: _____	_____	_____

2. <u>FIELD</u>	Man-Years	Dollars*
EEO Counseling	_____	_____
Complaint Processing	_____	_____
EEO Program Administration	_____	_____
EEO Subject-Matter Training	_____	_____
Upward Mobility Training and Education	_____	_____ **
Remarks: _____	_____	_____

\* (Include the dollar cost for salaries and benefits and other expenses such as travel, transcripts, all reimbursement fees for EEO Investigators and EEO Complaint Examiners, etc.)

\*\* Include all costs involved in formal and on-the-job training relative to Upward Mobility program efforts.

NAME AND ADDRESS OF AGENCY \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE OF SUBMITTING OFFICIAL: \_\_\_\_\_

DATE: \_\_\_\_\_

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## THE FEDERAL WOMEN'S PROGRAM

For women who work, the Government is a good place to start or to resume a career. And the Federal Women's Program is one of the reasons why.

Under the Federal Equal Employment Opportunity program, agency heads are responsible for finding out what can be done to advance the status of women and minorities in their particular agencies, for making specific plans for improvement and for seeing that these plans are put into effect. Each Federal agency has a Federal Women's Program Coordinator or Chairwoman of an FWP committee. Within this framework, the FWP Coordinator or committee acts as the agency's contact point, source of information and advisor to the head of the agency on matters involving the employment of women.

Specific FWP program priorities may vary, depending on the mission of the agency, the kinds of occupations it uses and the particular area where inequities may occur. The situation in an agency where women are not hired for a particular job *at all* (as was the case for a long time) is very different from that in an agency where the great majority of the employees are women in dead-end jobs with no chance to progress to other, more responsible work. The coordinator, being on the spot gauges the particular emphasis her agency's program should have. The overall objectives below are common to all agency programs.

## HOW WE COMPARE WITH OTHER EMPLOYERS, NATIONWIDE

	Federal Government, percent women	United States, percent women
Mathematics.....	22.2	10.0
Law.....	6.2	3.0
Chemistry.....	15.1	10.0
Medicine.....	7.3	7.0
Engineering.....	.5	.5
Accounting.....	7.0	20.0
Social work.....	47.8	60.0
Library science.....	70.4	85.0

## GENERAL AIMS

Recruiting and hiring of qualified women.

Placing women in jobs which offer them advancement in line with their abilities and ambitions . . . opening up the dead-end job.

Counseling women about opportunities and encouraging them to plan a career, rather than muddle through (And where do *you* want to be ten years from now?)

Encouraging agencies to expand their opportunities for part-time work and to restructure jobs so that women can compete for them on an equal basis with men.

Child care for children of Federal employees. FWP Coordinators work in their communities to support day-care projects. Several agencies have, and others are starting, experimental pilot programs for the care of their employees' children; existing programs usually are related in a direct way to the mission of the agency.

Communications—among agencies, between women's groups and the FWP and between the FWP and management. This includes using news media to focus on the program's achievements. When someone becomes the first woman sky marshal, or armed security guard, or printing apprentice or GS-17 controller, we spread the word. In all probability, some people will see these "women firsts" as tokenism—and there's no denying that it would have been nice if they had made it yesterday. But they are breaking through today—and because they are, more will make it tomorrow. So we publicize the firsts—to make the seconds and the thirds and the fourths come faster.

Development and use of statistical information to assess employment trends and to evaluate progress of women.

Promoting continued education for employees by arranging work schedules and granting leave to allow participation, and by participating in community efforts to set up adult education courses.

The concept of Upward Mobility—at all levels. This goes deeper than merely helping women who are *already qualified* for higher work obtain that work; it involves *getting women trained* to do higher work.

Training is at the heart of the Federal Woman's Program. If we are to open up dead-end jobs, we have to provide a bridge from those jobs to other more responsible work and train people to cross this bridge. By the same token, women who are in professional fields must have access to training for higher supervisory work if they aspire to it. And at the top, executive development programs, which are opening up to women, must have increased female participation.

No one, man or woman, should be promoted to a job he or she can't fill adequately. (We're against tokenism, too.) That's why training is vitally important to the Federal Women's Program—to provide well-qualified women who can compete successfully when promotions are available.

#### THE MYTHS ABOUT MS.

Like the top-heavy person below, women who work are encumbered; they get bogged down by a stereotype which keeps them from progressing as fast or as far as their abilities could take them. Generalizations about "The Working Woman" hobble them and hold them back. Because this happens, in Government as well as private industry, part of FWP's function is to track down the myths, find out the facts and spread the word.

"Women take more sick leave than men."

The national average for sick leave for women is 5.9 days. For men, it's 5.2 days. While the average is slightly higher, the difference is insignificant.

"Women only work until they have children; then they stay at home."

More than two-thirds of the women on Government maternity leave in 1967 were back on duty by May of 1968.

42 percent of all mothers in the United States work outside the home. This represents an increase of from 1.5 million in 1940 to 12.1 million in 1970. And the percentage is expected to rise.

Two out of 5 working mothers have children under 6 years of age. 84 percent are from homes where a husband is present.

"Women have a higher quit rate than men."

Higher turnover rates are true of all employees who 1) are under 25; 2) are in low income clerical jobs; and 3) have only a few years of service—and women make up a big part of these groups.

At professional levels, the difference is much less. In a study on the turnover of men and women chemists of comparable responsibility, a majority of the laboratories surveyed reported that the turnover for women was "about the same" as it was for men, and not a deciding factor in the employment of women.

"Most women don't really have to work. They just want extra money for hairdos, clothes and the luxuries of life."

Most women work because of economic need. Of over 37 million women who worked in 1968, 17 percent were widowed, divorced or separated from their husbands—23 percent were single—8 percent had husbands with incomes of less than \$3,000 a year—22 percent had husbands with incomes of between \$3,000 a year and \$7,000. (The annual income needed for even a low standard of living at the time was estimated at \$6,567 for an urban family of four.)

This assumption has been called the "cake winner fallacy." The gist of it is that "if women work, it is only because they want to add to the family income, so it is essentially a temporary situation and they don't want careers or aspire to responsible positions." Men are bread winners, while women are cake winners.

It is interesting that the myth persists in spite of the fact that the average number of years of employment for working men is 43 years, while it's 45 for single women. Even working women with children work an average of 25 years.

"Women prefer men as supervisors and men don't want to work for women."

Studies of attitudes have shown that women have no preference in the matter, and that most men who complain about women supervisors have never worked for a woman.

In one survey, three-fourths of the male and female executives who had worked with women managers reacted favorably to women as managers. The same study showed that those who reacted unfavorably to women managers had a cultural/traditional bias about other subjects as well.

**"Women aren't mobile."**

This may be truer than most generalizations about women. Married women, at least, tend to go where their husbands' jobs take them. However, as shown above, 40 percent of women working in 1968 were not necessarily influenced by husbands' jobs. 23 percent were single and 17 percent were widowed, divorced or separated.

There are other factors to be considered. Just how necessary is mobility for particular jobs? How many men are mobile? A study published in 1969 on the characteristics of Federal executives showed that more than half of the executives, of whom 98 percent were men, had spent their entire Government careers in a single agency. Of 28,000 people in grades GS-15 through GS-18 and equivalent levels, only 594 were women. Twenty-three percent of these women had worked in more than one agency, an indication that many women in Government are mobile.

There are many dimensions to the mobility question, of course, including how it is to be defined: for example, movement from one job to another, one agency to another, or from one location to another.

But however mobility is defined, and whatever its relative importance, the point is this: all women should not be considered to be immobile, simply because some are. Some men are too.

Myths about working women have advanced a stereotype which is no closer to fact than the "Average Housewife" we see on television. (You know, that woman who hovers around the house, comparing instant coffee brands and ecstatically waxing her kitchen floor in spike heels, designer suit and lacquered hairdo.)

Getting the truth around, to both men and women, is an important part of the program.

**FYI/POSSIBILITIES FOR PART-TIME JOBS**

For women who want to balance their family responsibilities with a chance to use their education and training outside the home, a part-time job is the ideal solution. One of FWP's aims is to encourage agencies to expand their use of part-time employees—not only by increasing the number they hire, but in opening up the kinds of jobs they will consider filling on a part-time basis.

Many thousands of part-timers already work for Government agencies that need expanded work forces at certain times during the year to cope with their fluctuating workloads. The Census Bureau needs census takers; the Passport Office, the Internal Revenue Service and the Department of Defense, among others, also have intermittent needs for more employees.

On a more continuous, year-round basis, many agencies hire part-time workers to provide clerical support, perhaps working only certain days each week, or particular hours each day.

Although some agencies—notably the Department of Health, Education, and Welfare, the Department of Housing and Urban Development, the Atomic Energy Commission and the National Aeronautics and Space Administration—have successful, ongoing programs for professional women on a part-time basis, this is an area where real improvement can be made. Some kinds of jobs seem to lend themselves to part-time occupancy more easily than others. The Veterans Administration, for example, has many women working as part-time nurses and in other health-related professions. While other kinds of work may not be such obviously good bets for part-timers, our aim is to expand the concepts of what kinds of work can be handled that way, meeting the needs of talented women who want to work and busy managers who want to do the best job they can.

**More Flexible Ceilings**

In Government, as well as in private industry, wider use of part-time workers must be shown to be to managers' advantage. In the past, reluctance on the part of Federal employers has often stemmed from the impression that they would have to count a part-timer against their ceiling on permanent full-time employees.

Adjustments can be made between the ceiling for temporary and part-time employees and the ceiling for permanent employees which will allow agencies greater use of part-time workers without losing employee-hours of work.\*

\*The policy is explained in detail in the Federal Personnel Manual, Section 312.

HOW WORKING PART-TIME AFFECTS FRINGE BENEFITS AND PROMOTIONS

*Benefits*

Whether you work part-time or full-time, annual and sick leave, insurance and civil service retirement depend on the type of appointment you have. The types are these:

*Intermittent:* If you work on this basis, you only come to work when you are needed, on an intermittent or irregular basis. You are paid for the number of hours actually worked. You do not earn leave and are not entitled to insurance or retirement benefits.

*Temporary or Term:* A temporary appointment, which can be either part-time or full-time, is usually for less than a year. A term appointment is a type of temporary appointment for a specific project, which can last from a year to four years.

As a temporary employee, working a regularly scheduled tour of duty (regular days and hours each week) you can earn annual and sick leave, based on the number of hours you work. As a temporary employee, you are not entitled to insurance or retirement benefits. As a term employee, you are entitled to insurance benefits.

*Career-Conditional:* Career-conditional appointments lead, after three years, to career status. The first of the three years is a probationary period, during which you can be dismissed for unsatisfactory work. Career-conditional employees, either part-time or full-time, earn annual and sick leave and are entitled to insurance and retirement benefits as well.

*Transfer and Promotions*

An employee serving in a temporary position can't be promoted or transferred to another job.

Employees with term appointments can be promoted or transferred to another job in the same project for which they were hired.

Career-conditional employees have transfer and promotion privileges. Generally speaking, part-time or intermittent career-conditional employees may be considered for promotion to positions which, as a practical matter, can be filled on a part-time or intermittent basis.

Federal Government promotions are not based on longevity, but on ability. The policy of Merit Promotion is designed to assure that those employees who are best qualified for jobs are promoted to them, not those who have merely occupied space for long periods of time. There are, however, legal and minimum qualification requirements, which must be met before any employee—part-time or full-time, may even be considered for promotion.

The *legal requirement*, under the Whitten Amendment, is generally this: employees must spend at least one year working at one grade level before being considered for promotion.\* The year-in-grade is a *calendar year*, and not based on the number of hours worked, so that the minimum is the same for full-time and part-time workers.

The *qualifications requirement* is the required minimum amount of experience needed to show that an employee is capable of doing work at the higher grade, but it is calculated on the basis of a 40-hour week. For purposes of promotion, an employee who worked 20 hours a week would have to work twice as long as a person working 40 hours a week. The theory is that you gain only half as much experience working a 4-hour day as you do working an 8-hour day.

FYI/MATERNITY LEAVE

Federal employees earn 13 days of sick leave a year, which can accumulate indefinitely. They also earn 13, 20, and 26 days of annual leave a year, depending on how long they have been with the Government. Annual leave can accumulate up to 30 days.

Maternity leave is chargeable to sick leave or to a combination of sick leave, annual leave and, as needed, leave without pay. Although there is no Government-wide fixed rule, the general policy is to authorize approximately 14 weeks of time off—about 6 weeks before the baby is born, and 8 weeks afterward. Some agencies may authorize less time, and some, more. The time may vary, depending

\*The purpose of the Whitten Amendment is to prevent excessively rapid promotions. There are some exceptions, which are spelled out in the Federal Personnel Manual, Chapter 300, Subchapter 6-4.

on the physical demands of the individual employee's job and what her doctor advises.

The Civil Service Commission's guidelines on maternity leave are in the Federal Personnel Manual, Chapter 630-59, Federal Employee Facts #9, a booklet, gives a broader explanation of how pregnancy and maternity leave affect your status, pay, leave, and insurance benefits.

#### RIGHTS AND REMEDIES

Women suffragists chained themselves to public buildings in dramatic protest over the powerlessness without the vote. And, although the Suffragettes (and many of the buildings) are gone, inequities still occur. The difference now is, you're not powerless; as a Federal woman, you don't have to chain yourself to a building when you feel you have a discrimination problem.

Each agency has Equal Employment Opportunity (EEO) Counselors for informal settlement of problems, and procedures for processing formal complaints of discrimination. Each agency also has a Director of EEO, who is responsible to the head of the agency. If you believe you have been discriminated against because of your sex:

1. First discuss the problem with your EEO Counselor, who will attempt to help you work out a solution informally.
2. If it can't be settled informally, the Counselor will advise you of your right to file a formal written complaint with the EEO Officer, who will inform the agency Director of EEO.
3. The Director of EEO will assign someone from another part of your agency to investigate your allegations of discrimination.
4. Following the investigation, there is another opportunity for informal settlement. You will be notified of the proposed adjustment.
5. If you are not satisfied with the proposed adjustment, you may at this point request a hearing. If you do, the Civil Service Commission will assign an EEO Appeals Examiner, who must be from an agency independent from yours, to hear the case.
6. After the hearing, the Appeals Examiner will recommend a decision to the head of your agency.
7. The agency head or someone officially designated makes the final agency decision. If the recommendation is not accepted, the agency head must explain why.
8. If you are still not satisfied, you have the right to appeal to the Civil Service Commission's Board of Appeals and Review.

You have the right to be represented at any stage in the complaint process, including the initial informal counseling.

NOTE.— This is a very general description of the complaint system. You can get a detailed explanation by reading the booklet "Fed Facts 10, How the Discrimination Complaints System Works," or by talking with your EEO Counselor.

Underlying its particular facets, the Federal Women's Program is a POINT OF VIEW.

It puts the spotlight on Federal women as a group in order to bring about a climate where they can succeed as individuals. The purpose of gathering statistics (which indicate, for example, that the average grade for women in a particular agency is substantially less than that for men) is not for the sheer joy of paperwork. It's to find out where we stand, and to give an indication of the areas where we ought to be directing our energies.

#### AWARENESS AND ACTION

There are two perspectives to the Federal Women's Program: on any agency's organizational chart, it has to work from the top down and from the bottom up. At the top, people at policy levels have to be made aware of possible patterns of discrimination in their agencies, and presented with suggestions for improving the situation. It is, as has often been remarked, an educational process. As awareness filters through the chain of command, it's particularly important at the supervisory level—for supervisors are more directly involved with day to day opportunities to put equity into action. They evaluate job performance, recommend people for training courses and assess readiness for promotion. So it's especially important that they do so objectively.

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As education affects how top managers and supervisors look at women employees, it should also affect how women look at themselves. Each woman in Government should become aware of her rights and possibilities and define her goals on the basis of her abilities and ambitions, rather than on a narrow interpretation of what she thinks will be allowed her. Why not be a forklift operator? Or narcotics agent? Or supervisor of her section? Or supergrade?

Women are making progress in Government—not as fast as many would like, and faster than many care about—but things are moving ahead.

Someday, a Federal woman will go to the moon. And when she gets there, the Federal Women's Program will be one of the things she had going for her.

The CHAIRMAN. Our next witness is Ms. Felice Schwartz.

**STATEMENT OF FELICE SCHWARTZ, PRESIDENT OF THE CATALYST ORGANIZATION**

Ms. SCHWARTZ. My name is Felice Schwartz. I am president of Catalyst, which is a national tax exempt organization with headquarters at 6 East 82nd Street in New York. I am here to provide information on the feasibility and advantages for flexible work schedules as proposed in S. 2022, known as the Flexible Employment Act.

Catalyst was founded in 1963 by five college presidents to help college educated women to combine family and career. It is presently supported by the Kellogg, Ford, Mellon, and Rockefeller Foundations.

The primary barrier of women into the work force has been the total, almost total lack of part-time activity in employment, in all but menial and clerical areas. The primary focus of our efforts during the past 11½ years has therefore been on increasing flexibility in employment patterns, and particularly on educating employers to the feasibility and advantages of employing personnel on part-time schedules at every level.

The fact that the Catalyst agency consists of 11 who work part time and only 20 full-time schedules testifies to our conviction, as an employer, that part-time employees are the best buy on the labor market. The reasons for this, in our opinion, are as follows: First, a larger recruitment pool is available to the employer seeking part time as well as full-time staff. This enables him or her to be far more selective with regard to the applicant's qualifications, than when restricted to hiring only full-time personnel.

Second, because of the shortage of part-time jobs, the turnover rate among those who work part time is lower. This tends to be reinforced by the stable life situation of the vast majority of those seeking part-time employment, namely, women with young children.

Third, we find that a shorter work day or work week increases productivity. Fourth, personal chores can be done in free daytime hours rather than hours taken off from work.

And finally, employment can be tailored to the time needed for the job duties, rather than the traditional 5-day, 35- or 40-hour work week. Likewise, jobs can be decided by levels of skill and pay, rather than filling the traditional work schedule with a skilled person, with less skilled work at the higher pay level.

The desire of women for part-time work has been continuously and dramatically demonstrated by the numbers of women who responded to every mention of the Catalyst program by the media.

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During the 4-month period from mid-February to mid-June last year, nearly 6,000 women contacted Catalyst for assistance. This year, when our national program will be fully operational, we expect to hear from 30,000 women. Of the first 500 women who completed the Catalyst questionnaire last spring, 72 percent have also completed the résumé form, indicating that they were immediately available for employment. Of these, approximately one-third, 34 percent of the women even expressed an interest in part-time employment only, because they were only able to work part time and one-third of 35 percent, in either part time or full time, with the remaining third interested only in full-time work.

More dramatically, indicative of this desire for part-time employment, on the part of women, was our experience in a pilot project conducted in 1968 to recruit 51 halftime caseworkers for the Massachusetts Department of Public Welfare. Catalyst received 1,500 applicants, in contrast to the 25 or 30 applications, that the Department would have received normally for 25 full-time jobs.

The magic word was part time. A report of this project is included in those materials that I have brought along for inclusion in the record. Wilbur Cohen, who was then head of HEW wrote the preface to the study, to the report, on this project, on public welfare, and Senator Ribicoff said as a result, and I quote:

Catalyst has demonstrated in public welfare the greater productivity, lower turnover rate, and enhances sensitivity to human needs that mature women working part-time, can bring to case work and counseling.

Now it is extending this available resource to the whole spectrum of the social services.

The CHAIRMAN. I just finished having lunch with Senator Ribicoff and he sent along reinforcement of new articulate expressions and all good wishes.

Ms. SCHWARTZ. I am glad to hear that. I know he does recognize this labor pool.

In this same project in Massachusetts, after 2 years of employment, the half-time case workers were found to be 89 percent as productive during their 17½-hour work week as were full-time case workers in 35 hours and their turnover rate was 14 percent in contrast to the prevailing turnover rate of 40 percent. Now that women live for 75 years and are urged by population planners to have no more than two children, it is essential that they be able to pursue careers, if they are to avoid virtual unemployment and frustration during the major portion of their lives.

For those who choose to be at home during their children's preschool years and the after school hours of their elementary and high school years, part-time employment is essential. The alternative of a 15-year interruption leads inevitably to atrophy and the inability to pursue careers.

The resultant unemployment to women is demeaning for them and wasteful of the enormous investments made by society in their education.

I might add that as men become less focused on increasing the gross national product to exclusive concern with their work, they are beginning to want more time for their family participating, for public

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service, and for leisure and to seek less than full-time employment themselves.

I would appreciate it if the following documents can be included in the record. I would like to just briefly state what they are.

The CHAIRMAN. From the size of the package we will make them a part of the file at least, and we only have to watch the size of the record with some things.

Ms. SCHWARTZ. I will itemize them.

The CHAIRMAN. If you would like to make the list part of the record now.

Ms. SCHWARTZ. Yes, I would, thank you.

There is included there a brochure describing the Catalyst program.

There is a flyer that describes the Catalyst self-guidance career publications for women who want to work less than full time when their children are young. I have included this because these 40 publications are filled with examples of women who are working successfully on part-time schedules.

There is also included a listing of the 87 local resource centers that participate in the Catalyst national network, providing counseling services and job referral services to women all over the country who are seeking to enter or reenter the employment field.

I have also included a mock-up of the Catalyst national roster, which is a computerized listing of women who are seeking full-time and/or part-time employment. This roster will bring women seeking part-time work to the attention of employers and provide them with access to women whose characteristics as printed out on the roster can obviously meet their needs.

I have also included a copy of the study, the project which I referred to, part-time social workers in public welfare, a report on the Catalyst demonstration project in Boston, Mass., in which mature women, college graduates were employed halftime by the Massachusetts Department of Public Welfare.

I have included another report, part-time teachers and how they work, a study of five school systems. I include that because it surveys the number of advantages for the first time of part-time employment. These were teachers who were in elementary school level. We found the two teachers teaching halftime felt they were preparing for their teaching responsibilities as much when they were part time as when full-time teachers.

We felt the need for substitute teachers virtually disappeared, because one teacher covered for the other teacher.

The CHAIRMAN. What about the civil service rolls, the Federal civil service rolls, does Catalyst have a study of this particular category of employment?

Ms. SCHWARTZ. The only project Catalyst specifically had dealing with the civil service was with the Department of Public Welfare. We had an 8-month period prior to the pilot project in which we explored with the Civil Service Department and others connected with welfare, the various problems that were entailed, in defining work week, fringe benefits, vacation schedules, promotion schedules and such matters, before the project started. These are all documented, I think, quite clearly in our report on that project.

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The CHAIRMAN. Do you have any projections for a broader sweep at the Federal level at this time?

Ms. SCHWARTZ. No, we have not done anything further specifically in relation to the Federal Government. We will be this year making our roster known to Federal employers, and working with them through the roster, and thereby getting to know some of the problems and trying to help find some solutions, and trying to find those areas up to now where part-time schedules are particularly useful and productive.

Just to mention a couple other advantages in pilot projects, with part-time teachers, when a second teacher comes into a classroom in the middle of the day, it is usually at a time when the children begin to lose their attention in the work and the energy level dropped. But the introduction of a second person is a revitalizing factor and much more it seemed was accomplished in these classes as a result of that.

Finally, the parents of children were given binocular vision of their children's performance and by being able to talk with two teachers with whom the child had also had a chance to relate successfully.

Also included, and most relevant, is a position paper that Catalyst has done, called Flexible Work Schedules. If I may, I would like to read the conclusion from that, the summary. It says:

Companies and organizations that learn to utilize college educated women with ongoing family responsibilities effectively in part-time programs today will be equipped to utilize the entire work force most effectively in years ahead. As man increasingly demands more time for active involvement with their families, in society, with leisure pursuits, and as increasing numbers of women set serious career goals for themselves, this means that innovative work pattern, especially the variety of part-time employment concepts open to professionals at responsible levels, need not apply only to women, but all individuals who wish to participate in and enjoy a full spectrum of endeavor without feeling there is a basic conflict between their professional and personal needs.

In the past employers have been reluctant to hire part-time managerial, professional and technical employees, due to a preconceived idea that everyone in the work force must work the same hours or a communication gap would arise. Yet in the flexible scheduling and 3- and 4-day week organizations, which is in contrast to the part-time situation, variations in workers' schedules have led to greater communication, versatility and broadened responsibilities. This has resulted in an increased involvement with and commitment to the job. Based on current widespread interest in various work scheduling patterns, the future will undoubtedly bring greater innovation in scheduling work hours of both full-time and part-time employees. These schedules will be based on the needs of the individual employer and on the qualifications of an employee.

The routine work which is so large a part of life will become life enhancing, at least to the extent that it represents an honest option and is in accord with the individual's personal capabilities, commitments and needs.

In this paper we have described in detail six different part-time employment patterns.

I would like to point out that I do think that the flex time approach to scheduling, which is now so prevalent in several European countries, that is moving to this country, is not part-time employment in itself, it is flexible full-time employment, but it does have a great relevance when you are evaluating the effectiveness of part-time employment because it has effectively demonstrated that the argument against part-time employment that we have heard, most universally, namely, lack of communication, can—I cannot pick up the phone and reach Mary Jones at 3 o'clock, if she leaves at 2 o'clock or Frank Simmons,

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if he does not work on Thursday, in fact did not impose a large obstacle as demonstrated by those companies that have undertaken flex time. I think this is the major disadvantage that employers foresee and does not materialize the communications gap.

I also include profiles of women who are successfully employed on part-time schedules, and we will be producing and disseminating large numbers of such profiles. We will be writing up successful employment programs wherever we see them, with the employer's evaluation, as well as the part-time workers' attitudes toward it.

Finally I have included two papers that Catalyst has done which are necessary to the private sector, we found. They concern themselves with employee benefits and permanent part-time personnel, from both the employers' and the employees' advantage.

I have heard the testimony this morning that would indicate that in government circles it is automatically a decidable problem, the problem with fringe benefits. Our experience with the welfare department was although on the record there should have been no problem, it did take a great deal of exploration, negotiation, to work out equitable fringe benefits for part-time permanent employees.

I would only like to make one other comment about other points that were made. That is when talking about part-time employment, I think it is terribly important to identify the level of employment. In many areas there are large percentages of part-time employees at very menial and clerical levels and none at the higher levels, and that of course is not always true.

I think it is very important to identify whether the part-time positions that are being bandied about are permanent or temporary in nature, and their absolute numbers I think is also very important to keep an inquiry on.

I do very much appreciate this opportunity to testify and I assure you that there are a multitude of women who currently will be very appreciative of such legislation and their husbands are about to find out how much their lives are enhanced when their wives are given this opportunity, and I think that women will follow the pattern of women, that they are beginning to establish now.

The CHAIRMAN. Thank you very much for your testimony. I commend you on the educational program that you really have taken on in Catalyst, to raise the level of public understanding of the acuteness of this particular question. We will weigh carefully your contribution here this afternoon.

Ms. SCHWARTZ. Thank you very much.

The CHAIRMAN. Our next witness is Mrs. Daisy Fields, chairman of the Legislative Committee for Federally Employed Women, Inc.

**STATEMENT OF DAISY B. FIELDS, CHAIRMAN OF THE LEGISLATIVE COMMITTEE, FOR FEDERALLY EMPLOYED WOMEN, INC. (FEW)**

Mrs. FIELDS. As Senator Tunney indicated this morning, our recommendations were submitted to him previously and I understand will be made part of the record. However, we have some supplemental information that I would like to add at this time.

The CHAIRMAN. Those that relate to the specific legislation will be a part of the record.

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Mrs. FIELDS. I want to elaborate on the matter of part-time employment as testified to by the Civil Service Commission. While it is true a policy does exist for the employment of persons on a part-time basis, it is not used to the extent that it could and should be used. You will find that a large proportion of part-time jobs are in institutions such as Veterans' Administration hospitals, which employ food service workers, nurses aides, X-ray technicians, therapists, et cetera on a part-time basis. The percentage of professional, technical, and administrative part-time jobs is not impressive.

The CHAIRMAN. As opposed toward the professional or more skilled type?

Mrs. FIELDS. Correct. The jobs generally are at the lower levels of the employment scale. For that reason we believe there is an urgent need for legislation that will broaden the scope of opportunities for part-time employment. We too have some concern over the title of the bill. Flexible time and part-time are not exactly the same thing. Before the bill goes to the floor, we hope the distinction will be clarified.

The CHAIRMAN. That has been made clear here this morning.

Mrs. FIELDS. We wish to add the following to what has been previously submitted on behalf of Federally Employed Women:

Over the years several small-scale efforts have been made on the part of executive agencies. The HEW Professional and Executive Corps ranks among early projects to demonstrate the value of employing career professional workers on a less-than-full-time basis, and was shown to be successful for both the supervisors and the workers, but failed to be integrated into the personnel system, because of confusion regarding personnel ceiling allocations, which is where most of us get hung up.

Involved were employees ranging from the entry-level professionals, GS-7, to the executive level, GS-15, with the typical workers at a mid-level grade GS-11.

In order to carry out demanding and responsible jobs, each employee worked at least 20 hours a week. An absolute minimum of 16 hours a week appears necessary to make efficient use of employees' talents and to make economical use of office space and minimize personnel recordkeeping expenses. Consequently, we believe that S. 2022 should encourage the employment of part-time workers for at least 16 hours per week.

Section 7 needs to be clarified to include the maximum number of hours allowable in a workweek in executive agencies. We suggest that the maximum be set at 30 hours per week. Such a maximum, however, is not necessary if the present personnel ceiling is abolished.

This bill begins to face the problem with employment ceilings by distinguishing between less than full time and other workers, for reporting purposes.

Section 2 (a) (d), and more importantly, the vital section 6, which counts the percentage of hours of a work week worked, rather than "bodies." However, presently great confusion still exists regarding the fact that some part-time workers occupy full-time slots, and consequently part-time workers are currently counted under either the full-time permanent ceiling or the derived or "other" ceiling, that includes everyone not occupying a full-time permanent slot, including

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consultants. This bill could be one of the most significant Federal employment bills ever passed if it addresses itself to the means of accounting for the Government workforce—by person hours, or percentage of hours worked in the 40-hour work week, rather than by the current method of counting “bodies.” Currently both ceilings, the permanent full-time ceiling and the derived—all other employees—contain part-time workers, thereby reducing the potential employment allowed by the executive agencies—by filling full-time slots with part-time workers, and by grossly exaggerating the amount of time worked, if judged by only a body count, since a consultant working 5 hours one month is counted equally with a person working 165 hours.

The HEW Corps members were selected using the same qualifications requirements as full-time workers, in similar positions and grade levels. It is important to maintain the same employment selection standards for part- and full-time workers in order to maintain a qualified career workforce. The experience of the HEW Corps members and part-time employees in other agencies demonstrates the need for developing a uniform promotional policy throughout the Federal Government that takes into account the part-time career status of the workers.

S. 2022 should include among its goals the development of such a uniform promotional policy.

We also strongly recommend that the bill address the distinction between permanent and temporary status, providing for the employment of permanent career-conditional and career workers. Without this distinction, temporary workers could be hired and fired, and executive agencies could achieve target numbers without in fact carrying out the purpose of the bill, which, hopefully is that of continuously employing talented individuals on a less-than-full-time basis. However, if this cannot be done, the reporting system should ask for the distinction between temporary and career workers.

I submit this material to supplement what has previously been furnished by FEW and would like, with your kind indulgence, to include in the record a portion of an article written by Mrs. Majorie Silverberg, which appeared in the Bureaucrat, volume I, No. 3, fall 1972. In the interest of time I will not present all of it right now.

The CHAIRMAN. What is the thrust of the article?

Mrs. FIELDS. “Part-Time Careers in the Federal Government” is the name of the article.

The CHAIRMAN. That will be made part of the record.

Mrs. FIELDS. I would like to read at this point the conclusions and one reference from an earlier section called “Barriers to Part-Time Employment.”

The Civil Service Commission and the Office of Management and Budget, the two agencies responsible for establishing the system which could accommodate part-time employment, do not appear ready to challenge the assumption that part-time means part-time commitment. The redefinition of part-time employment and the system that governs it are not only confusing to the prospective manager, but provide little incentive to managers to consider the mix of part-time and full-time employees to get a job done more efficiently.

The Civil Service Commission defines “part-time employee, regardless of the nature of his or her employment, as one who works less than 40 hours a week. The employment may be regular and recurring (loosely referred to as ‘permanent’; it may be for a temporary period; or it may be intermittent in the sense

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that the person works only when called in \* \* \* [This definition appears in the Federal Personnel Manual Letter 312-3, dated March 1971.] The actual difference between full- and part-time employees is one hour, according to this approach—that is, anyone working 40 hours is a full-time employee, while one working 39 hours is classed as part-time.

Now such a concept, of course, defeats the objectives of the part-time program which we hope this bill will establish.

Now, to include some of the conclusions and recommendations contained in this article:

1. The Civil Service Commission needs to develop alternative methods of accounting for time worked and numbers of employees. The man-year equivalency method is recommended. If this is not adopted, a second category should be established to distinguish career from temporary or intermittent employees, with separate ceiling adjustments.

2. The Commission needs to establish a clearinghouse, such as a talent bank or a special register, for the recruitment of professional and specially trained individuals available on a permanent part-time basis.

3. The Commission should clarify administrative procedures for hiring career part-time employees through issuance of a manual of instructions clearly outlining methods for budgeting, recruiting, and reporting of permanent part-time employees.

Current procedures are so cumbersome we believe they may be one reason managers avoid using the system.

4. Administrators and managers need to identify jobs amenable to career part-time workers, and to include these positions in their projections of personnel needs in building the annual budget and future programs.

5. Equal employment opportunity programs need to include provisions for making permanent part-time positions available to professional workers, providing opportunities for highly trained women with family responsibilities to acquire experience for executive positions.

6. Manpower utilization committees need to be established with a priority of developing productivity measures to evaluate performance of both full- and part-time workers and to relate these to administrative costs of part, as opposed to full-time, employment.

7. Federal service awards need to recognize excellence regardless of full- or part-time status.

We will submit this entire document, for inclusion with FEW testimony. Thank you.

The CHAIRMAN. Thank you very much for your contribution. We may be back with questions for you.

[For the record: a letter, in part, was received on October 26 from Daisy B. Fields, aforementioned material and additional statements:]

FEDERALLY EMPLOYED WOMEN, INC.  
Washington, D.C., October 22, 1973.

We have reviewed the objections to S. 2022 raised by Chairman Hampton, U.S. Civil Service Commission, in his letter to Senator McGee, September 25, 1973, and submit the following comments for consideration by the Committee.

*Hampton letter, para. 3.*—"There is now available administrative flexibility that enables Federal executive agencies to employ workers on a part-time basis."

*Comment.*—FEW does not dispute the existence of administrative flexibility to provide part-time jobs. However, experience has shown that most agencies do not exercise this flexibility except to fill low-paying jobs or to meet unusual circumstances. The low-level positions frequently are those which could not otherwise be filled, such as kitchen help, hospital attendants, nurses aides, etc. In Veterans Administration hospitals. It is not uncommon for agencies to hire people for a 39-hour "part-time" job to circumvent the regulations pertaining to full-time employment.

Our concern is not how many jobs are filled but rather what kinds of jobs and whether they offer career advancement opportunities plus the benefits inherent in a career civil service system. We are concerned with a broader application of the

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part-time employment program throughout the federal service, not in a handful of agencies.

*Hampton letter, para. 4.*—"\* \* \* we object to the proposal because it would require that a fixed percentage of positions at each and all levels in all executive agencies be set aside for part-time work."

*Comment.*—We do not interpret S. 2022 as denying management the right to decide which jobs can be performed on a less than full-time basis. It is our contention that many positions, at all levels, can be filled on a part-time basis. With the national trend toward a shorter work week, we believe a 10% goal over a period of 5 years is not unreasonable. It is a goal—not a quota. However, since this concept represents a radical departure from past practices, we would find it acceptable to reduce the percentages to one percent of all positions for the first two years, then two percent per year thereafter until the goal of 10% is reached over a period of six years.

*Hampton letter, para. 5.*—"The bill would require that some jobs now filled on a full-time basis be converted eventually to part-time. This would be more costly because of additional overhead expenses and would result in inefficient operations in some work situations. We seriously question whether these undesirable and unnecessary results are in the public interest."

*Commercial.*—There is no empirical evidence to support the contention that part-time employment impairs the efficiency of agency operations. The additional "overhead expenses" would be clearly offset by the productivity of part-time workers which has been found in many instances to exceed that of full-time workers. Surely, the public interest would govern the allocation of jobs to full-time or part-time basis. We believe the legislative intent would be to grant such discretion to management.

*Hampton letter, para. 6.*—"The proposed employment system also ignores the fact that large blocks of Federal jobs do not lend themselves to being filled on a part-time basis."

*Comment.*—This is an assumption with no basis in fact. The Assistant Vice President of the Federal Reserve Bank of Boston successfully fulfills the responsibilities of her position working 4½ hours per day, 5 days per week.

The success of the HEW Executive Corps, and the AEC and HUD part-time programs attest to the fact that professional positions, at all levels, can be filled on a part-time basis without detriment to the public interest.

As for continuity, it has been our experience that the turnover for women who have responsible part-time jobs, with Civil Service status, has been no greater than for full-time workers in similar positions. The aforementioned HEW Executive Corps and the AEC and HUD part-time programs support this observation. Additionally, some jobs requiring continuity can be filled by pairs of part-time workers sharing an 8-hour shift. Monitoring laboratory experiments is a case in point.

Furthermore, the bill states "\* \* \* that, unless judged impossible \* \* \* at least two percent of the positions at each and all levels \* \* \* shall be on a flexible hours \* \* \* basis." The phrase "unless judged impossible \* \* \*" provides management the discretion needed to determine which jobs cannot be performed part-time.

We would urge the Civil Service Commission to conduct a study to determine which jobs cannot be performed on a part-time basis. The bill provides for such "\* \* \* research and experimentation projects \* \* \*"

*Hampton letter, para. 7.*—"Labor market conditions, and fluctuations in labor market conditions completely beyond the control of the Federal government, would in our judgment make it impossible to hire enough well qualified employees in some types of jobs to meet the employment requirements of the bill."

*Comment.*—The types of jobs listed in Mr. Hampton's letter include "jobs such as Air Traffic Controller, Border Patrol Officer, Park Ranger, and Forester which require specialized experience not readily found among candidates willing to work part-time." (Underscoring supplied)

The clear implication of the foregoing, undocumented assumption, and particularly the underscored portion, is that women do not have the "specialized experience" required for these positions. Quite so. Therefore it is imperative that women be encouraged to train for such positions with reasonable assurance of employment opportunities. Jobs requiring carrying firearms were denied to women until just about two years ago.

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Park Ranger and Forester jobs are ideally suited to husband-wife teams and could be filled on a part-time basis. This could be economically advantageous to the government in many areas, especially where government housing is furnished.

The trucking industry has already demonstrated the success of employing husband-wife teams on cross-country jobs. The company provides the training course. One such company official claims " \* \* \* 36 of our approximately 1,000 drivers are women and we are happy with all of them. They're good. Statistics show our husband-wife teams are more stable, and the women are usually better drivers than men. They are less apt to take chances." Surely, if women can safely maneuver 350-horsepower, 16-ton trucks, loaded with 14,000 pounds of heavy equipment, they can be park rangers and foresters and border patrol officers.

*Hampton letter, para. 8.*—"We object also to that feature of the bill which designates the Secretary of Labor as the official responsible for its administration."

*Comment.*—We agree with the Commission's position. We believe that employment policies and practices related to Federal employment is the responsibility of the Civil Service Commission which should be charged with responsibility for implementation of the bill when passed.

*Hampton letter, para. 9.*—" \* \* \* the Commission encourages agencies to use a variety of techniques, including part-time work assignments, to provide employment for women and men whose family or other personal responsibilities do not permit full-time employment."

*Comment.*—We find no evidence of the Commission's "encouraging" agencies to use part-time work assignments at all levels. It has been our experience that the Commission has taken a passive role in encouraging innovation or creativity in personnel policies and practices. On the basis of its past record, it is unlikely the Commission will take positive, affirmative action to encourage or develop more opportunities for part-time employment unless there is a law charging it with the responsibility to do so.

*Conclusion.*—We recommend clarification of the distinction between "flexible" hours and "part-time" employment—a point made by Rep. Bella Abzug in her testimony. Most companies in the private sector that have flexible hours still require employees to work a full 40-hour week. We recognize the need for flexible hours as well as part-time employment, but the two should not be confused.

Greater use of flexible hours in the Federal government would permit those agencies that serve the public directly—Social Security Administration, Employment Service, Food and Drug Administration, etc.—to be of greater service to the public if they were open at times other than the standard work week. The extended hours would not cost an agency overtime since employees still would work only a 40-hour week.

We further recommend that a provision be inserted in the bill to require the establishment of a "Coordinator for Part-Time Employment" in every agency and department. The duties of such coordinators would include, but not be limited to, (1) evaluation of all positions within an agency to determine which can appropriately be restructured and redesigned for part-time employment without undue interruption to the public service, with justification in writing to support the claim that certain jobs cannot be so restructured; and (2) responsibility for matching applicants for part-time positions with available jobs.

In our letter to Senator Tunney, which has been inserted in the record, we recommended that as a minimum, one percent of an agency's jobs, or 100 jobs, whichever is larger, be set aside immediately for part-time employment and that these jobs be computed by "manhours" rather than "bodies." This procedure would not affect an agency's full-time or derived ceilings, but would provide the maximum number of part-time employees within the percentages established.

We agree with Senator Tunney that flexible hours and part-time employment is "an idea whose time has come," and the principle should be institutionalized.

We sincerely hope the Committee will make the objectives of S. 2022 an immediate reality.

Sincerely,

DAISY B. FIELDS,  
Chairwoman,  
Legislation Committee.

Enclosures.

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#### PART-TIME CAREERS IN THE FEDERAL GOVERNMENT

(By Marjorie M. Silverberg)

The use of people's skills and talents on a long-term, part-time basis has great potential in the Federal service as managers seek ways to use economic and human resources more effectively in achieving program goals. Part-time employment offers both men and women a life style that combines the use of professional skills and family responsibilities or other interests. Yet despite the potential advantages to both employer and employee, the federal government has been unwilling to accept the concept of part-time professional careers. This is reflected in the confusing way part-time employment is defined and administered in the federal service and in the small numbers who hold part-time professional appointments.

The administration of the federal employment system is based on the pre-conception that part-time careers imply lack of commitment and on the belief that the employment of career part-time workers, except in shortage areas, may diminish the apparent importance of the work in progress.

#### BARRIERS TO PART-TIME EMPLOYMENT

The Civil Service Commission and the Office of Management and Budget, the two agencies responsible for establishing the system which could accommodate part-time employment, do not appear ready to challenge the assumption that part-time means part-commitment. The redefinition of part-time employment and the system that governs it are not only confusing to the prospective manager, but provide little incentive to managers to consider the mix of part-time and full-time employees to get a job done more efficiently.

The CSC defines "a part-time employee, regardless of the nature of his or her employment, \* \* \* [as] one who works less than 40 hours a week. The employment may be regular and recurring (loosely referred to as 'permanent'); it may be for a temporary period; or it may be intermittent in the sense that the person works only when called in. \* \* \*" (This definition appears in the Federal Personnel Manual letter 312-3, dated March 1971.) The actual difference between full- and part-time employees is one hour, according to this approach—that is, anyone working 40 hours is a full-time employee, while one working 39 hours is classed as part-time.

While flexibility exists regarding the accounting of employees, the system discourages an agency from using part-time employees in a continuous and systematic manner by the way in which the employment ceiling is established for an agency. This ceiling is broken into two categories—full-time permanent and total. The difference between the two is called the "derived" ceiling, and into this category goes everyone who isn't full-time permanent. The same distinctions apply to the numbers of positions an agency is authorized, i.e., agencies are allotted specific numbers of full-time permanent slots and "other" slots. Thus the derived ceiling and authorization is a combination of permanent part-time, temporary part-time, temporary full-time, and intermittent employees, with each counting as one full body regardless of the amount of time worked during a month. For instance, agency reports to the CSC must count a consultant working eight hours during a given month and a temporary employee working 160 hours during the same month as two bodies.

The fact that part-time employees can and do occupy full-time permanent slots adds to the confusion and to the irony of the distinction. FPM 312-3 encourages this use of full-time permanent slots for part-time employees, despite the obvious disadvantage to an agency that wishes to utilize the full potential number of man-hours its employment ceiling could provide. While the FPM ostensibly offers agencies the flexibility of converting full-time permanent positions into multiple slots under the derived ceiling, this is not an option readily available to an agency unless it is willing to convert a sizeable number of slots in proportion to its total authorization.

Furthermore, during the planning process the budget is formulated principally on the basis of full-time permanent positions and the funds required to support them, with little attention focused on the remaining derived ceiling. Such formulations ignore the potential talent and economies available with the carefully planned use of part-time professionals.

Substitution of budgetary constraints or of a man (or woman) year accounting systems would go far in straightening out the confusion that exists about the current employment system and would provide much greater incentive and flexibility to the manager trying to turn out a good job with the least amount of resources.

Another barrier to part-time careers is the general unwillingness to deal with the administrative arrangements that need to be made with this type of employment. The key to tailoring a job for part-time assignment is the flexibility of both the supervisor and the employee in scheduling meetings, travel, and other functions relevant to a professional position.

Some think that only certain kinds of jobs are amenable to part-time schedules, such as writing, editing, research systems design and analysis, and other work involving considerable independence, and that part-time jobs are not amenable to administrative or supervisory functions. However, four of the supervisory members of the part-time Professional and Executive Corps in HEW maintained that all jobs were amenable to part-time employment, and the Labor Department classifies five of its part-time jobs as managerial, which raises questions as to the validity of these preconceptions.

#### STATUS OF PART-TIME EMPLOYMENT IN THE FEDERAL GOVERNMENT

Large numbers of talented individuals, mostly women, are searching for career part-time employment—women who are not counted among the employed in Labor Department statistics. The problem is lack of demand, not supply, and as programs for continuing education for women proliferate, and organizations such as Catalyst and Washington Opportunities for Women break new ground in utilizing the talents of qualified women for part-time employment in the labor force, the supply of well-qualified women will increase.

Though generally the concept of part-time careers is thought to mainly benefit women with family responsibilities, many men stand to gain from this arrangement. The HEW Report of the Women's Action Program, January 1972, deliberately omits mention of sex in its recommendations regarding part-time employment. One of these recommendations encourages counselors to suggest part-time schedules for those near retirement age who need a gradual transition in life-style.

Government agencies generally have not responded to such recommendations, and the utilization of part-time employees in most agencies has appeared to decline rather than increase in recent years. Following the recommendation of the Federal Women's Award Study Group in 1967, several federal agencies recruited and hired part-time employees. Also encouraged by Mary Bunting, president of Radcliffe College and an AEC Commissioner, the AEC began to hire women on a part-time basis. Other agencies, including the National Science Foundation, the Veterans Administration, the Labor Department, and the Peace Corps, recruited both clerical and professional part-time personnel. In December 1967 John Gardner established the HEW Professional and Executive Corps, and in 1968 HUD began its Part-Time Program for Professionally Trained Women. In both HUD and HEW, agencies were asked to identify jobs amenable to a part-time schedule, and qualified women were matched with the jobs. Slots were filled as they became available under the employment ceilings allocated. No slots existed solely for these programs and the individuals hired met the regular Civil Service Commission requirements for comparable full-time appointments.

HUD, alone, has managed to increase its number of professional part-time positions—from 48 in 1971 to 61 in 1972, of which 57 are career conditional or career appointments. Since HUD's Washington headquarters is small relative to its total number of employees (4,400/15,500), it can centrally control its part-time positions in headquarters and fill vacancies with part-time position employees when they occur. HUD's career part-time professionals occupy GS grades 7-14. The women are employed in fields including law, budget analysis, urban problems, communications, and program assistance and implementation. Many work a 30-hour week, often on a four-day schedule. Personnel practices vary within and among agencies regarding promotions of part-time employees. At HUD, for example, promotions are based on the number of calendar years rather than man years served.

At AEC, the number of part-time professional women has dropped from 62 in 1968 to 29 in 1972, of whom most are in GS grades 13-15. The Labor Department employs 20 professional part-timers, at GS levels 7-15, 15 of whom are in GS

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grades 12-15. Fifty-seven nonprofessional part-time employees hold career positions. In a department employing 12,600 people, these numbers are extremely low, as are those in other agencies.

#### CONCLUSIONS AND RECOMMENDATIONS

Permanent part-time employment has been under-utilized as a tool in effective management planning because of the absence of a feasible system to integrate it into the basic system. Present ceiling classifications and policies reduce the effective use of both permanent full- and part-time personnel. To change this situation:

1. The Civil Service Commission needs to develop alternative methods of accounting for time worked and numbers of employees. The man year equivalency method is recommended. If this isn't adopted, a separate category should be established to distinguish career from temporary or intermittent employees, with separate ceiling allotments.

2. The CSC needs to establish a clearinghouse, such as a talent bank or a special register, for the recruitment of professional and specially trained individuals available on a permanent part-time basis.

3. The CSC should clarify administrative procedures for hiring career part-time employees through issuance of a manual of instructions clearly outlining methods for budgeting, recruiting, and reporting of permanent part-time employees.

4. Administrators and managers need to identify jobs amenable to career part-time workers and to include these positions in their projections of personnel needs in building the annual budget and future programs.

5. Equal employment opportunity programs need to include provisions for making permanent part-time positions available to professional workers, providing opportunities for highly trained women with family responsibilities to acquire experience for executive positions.

6. Manpower utilization committees need to be established with a priority of developing productivity measures to evaluate performance of both full- and part-time workers and to relate these to administrative costs of part-, as opposed to full-time employment.

7. Federal service awards need to recognize excellence regardless of full- or part-time status.

(The following article reports on a pioneering personnel program set up at the Department of Health, Education, and Welfare to use the talents of part-time employees who are women. It is a continuing, successful demonstration program: as of March 1971, 30 women were still part of the Corps.)

#### CAREER PART-TIME EMPLOYMENT: PERSONNEL IMPLICATIONS OF THE HEW PROFESSIONAL AND EXECUTIVE CORPS

(By Marjorie M. Silverberg and Lorraine D. Eyde)

In December of 1967, John Gardner, then Secretary of Health, Education and Welfare, announced the establishment of the Professional and Executive Corps. Initially 22 women from various ethnic and racial backgrounds worked from 20 to 35 hours per week throughout HEW in this demonstration project. Secretary Gardner gave this group visibility and strong administrative support to open up employment for talented, trained individuals who could not or did not wish to work the regular 40-hour week. He emphasized the need of both society and the individual to utilize these skills without forcing the neglect of families. Announcing the program to the press, Secretary Gardner stated, "I hope their example will encourage other women to pick up careers that may have been laid aside. And I expect that their performance will convince other employers of the benefits to be gained from similar arrangements for other part-time people."

Before establishing an official policy on part-time employment, Secretary Gardner requested agencies to analyze job openings throughout the department that could not be filled, because of a shortage of skills, with full-time personnel or that could be handled less-than-full-time. Mrs. Elsa Porter, designated by Secretary Gardner to implement his policy, reviewed the applications of highly qualified persons and matched the applicants with the 60 professional and technical assignments identified. Mrs. Porter worked with Washington Opportunities for Women, a referral and information organization affiliated with the D.C.

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Employment Service Professional Career Information Center, which held several hundred applications of women seeking part-time work. Also involved with the search for exceptionally talented women to match HEW's needs were the Civil Service Commission, the Urban League, the National Council of Negro Women and other organizations. All those hired met the civil service requirements for the different types of appointments in the same way as full-time employees. No special privileges were granted.

The Professional and Executive Corps was the mechanism by which the policy was accorded high visibility. No program, as such, existed, though press announcement of its establishment brought hundreds of inquiries and applications from highly trained people. Instead, the number of positions available was always determined by the staffing needs of the agencies throughout the department and the highly erratic personnel ceilings allotted to each of them. The Corps served as a focal point for demonstrating the efficient, flexible use of highly skilled talent, never as an independent employer. In addition to its primary function as a demonstration project, the Corps provided opportunity for information exchange and dissemination as well as a model for part-time employment in other federal departments.

#### THE QUESTIONNAIRE STUDY

Seventeen months after its establishment, the Corps' numbers had reached 40 by adding five career professionals already working part-time for at least two and one-half years before the Corps' establishment and subtracting the nine women forced to leave mainly because their husbands' jobs took them out of the area, often overseas. At that time, in May 1969, the authors, also members of the Corps, administered a two-part questionnaire study to document the pilot project and suggest areas of further study.

Questionnaire I, which asked for information pertaining mainly to biographical data and experience related to the present jobs, was designed to be completed at the time of first employment. Many members filled these out retrospectively, since they had been working varying periods already. A total of 32 of 40 (80%) active members returned Questionnaire I, plus four of the nine who left the Corps. Questionnaire II was designed to be completed six months after first part-time employment at HEW and contained job-related questions, including motivation for working and attitudes towards part-time employment, its amenability to the workers and the organization and its strength and weaknesses for both. Thirty of the 40 (75%) active members responded to Questionnaire II.

Evaluation of the workers through interviews with their supervisors or other methods did not prove to be feasible. However, some objective evidence exists regarding the quality of the Corps members' work. At least three members have received public commendations from their supervisors and agencies. Numerous other Corps members have published articles on subjects such as data processing, health insurance, low-income families, malnutrition, and the counseling of women. Others have lectured and participated in symposia at professional meetings throughout the country. Two members described their part-time work at the Joint Meeting of the Subcommittee on Employment and Retirement Incomes and the Subcommittee on Federal State and Community Services of the Senate Special Committee on Aging on July 29, 1968. At this meeting, Mrs. Porter testified that the Corps members, then numbering 37, "are making exceptional contributions to the work of our agency \* \* \* (according to) their supervisors' reports."

#### TYPES OF JOBS HELD AND LOCATION WITHIN HEW

Sixty per cent of the 30 women responding to the second questionnaire reported they were working at the agency or bureau level, where specific programs are administered. These included the Social Security Administration, the Social and Rehabilitation Service, the Office of Education, the Consumer Protection and Environmental Health Service, and the Health Services and Mental Health Administration. The remaining 40% worked in the Office of the Secretary, which includes the staffs of the Secretary and the Assistant Secretaries. Employment of the women in the Office of the Secretary reflected the Secretary's strong support and the willingness of his supervisors to encourage flexibility at the highest levels.

Twenty-five per cent of the Corps members worked as program or staff assistants, requiring specific knowledge and skills to carry out their wide range of assignments in their program areas. Twenty-two per cent worked in the quantita-

tive fields of economics, statistics, and mathematics; and 22% held jobs in the various areas of communications, including research and writing, initiation of film programs, and public speaking as national representatives of an agency. At the time of the project's initiation, shortage positions were filled by three systems and computer specialists, one research chemist and two research psychologists, as well as a highly experienced coordinator of volunteers and a retired dean of a school of social work. Expected high productivity coupled with lower costs, i.e., less-than-full-time pay to get the job done, were among the benefits expected by HEW supervisors.

#### TYPE AND LEVEL OF INITIAL CIVIL SERVICE APPOINTMENTS

Appointment information available for 34 of the 40 persons in the Corps indicates that two-thirds of the Corps members received permanent civil service appointments. Specifically, 14 persons received probationary appointments; another 10 had career appointments, that is, they had already successfully completed their three probationary years on earlier-held jobs as federal employees; two were employed as consultants; and the remaining nine persons had time-limited appointments as temporary workers. The women were employed at HEW at the entry level of GS-7 through GS-15, the highest grade of regular civil service appointments.

#### CAREER COMMITMENT

The employment history of the Corps sample, all of whom were married, shows evidence of strong career motivation prior to the part-time HEW appointments. One-fourth of the Corps sample had been employed continuously throughout the years of their marriages. More than half of them had worked at least half of their married lives. Furthermore, nearly two-thirds of them had managed to secure pre-Corps employment as part-time professional workers. Such employment arrangements are generally hard to find.

A frequently found predictor of career commitment of women is educational level, with more highly educated women more likely to be employed. Educational level is no doubt a contributor to the high level of career motivation of the Corps, since more than half of the respondents held a master's degree and two persons held doctorates. All but one of the Corps respondents held a bachelor's degree and this person had completed specialized training in data processing and systems design. As might be expected from the orientation of the Department of Health, Education, and Welfare, 59% of the women had concentrated their studies on the behavioral or social sciences.

All of the Corps sample had children. Fifty-three per cent of them had two children. Earlier studies of highly educated women have shown that a relatively large proportion of them remain unmarried, and if they marry, a substantial proportion of them remain childless or have only one child.

The Corps respondents were holding demanding jobs despite the fact that 41% of them had at least one child under six years of age when they entered the Corps. The part-time employment arrangement apparently provided a way for mothers of small children to contribute their skills to the implementation of federal government programs. More than three-fourths of the Corps sample reported that their husband's attitude towards their employment was encouraging. Their spouses were also highly trained professionals with 61% holding graduate degrees including the M.A., M.D., Ph.D., and L.L.B. degrees.

Marital status and home responsibilities of the Corps sample may be compared with those of the 145 federal women executives employed full-time at the high level grades of GS-14 and above in 1962.<sup>1</sup> At the time of that study, women held less than 2% of all the federal jobs at the executive level. Nearly two-thirds of the women executives in the Warner study remained unmarried. However, 20% of the Corps sample were at the high level grades of GS-14 and above, and they were all once married and had one or two children. When the respondents joined the Corps, their median grade level was GS-11, a mid-level professional grade, and each had from one to four children, with an average of two. Women employed at mid- and high-level pay grades do not typically have such family responsibilities. Another survey of all women working at grades GS-11 in 1961<sup>2</sup> showed that only 42% of the women were married and that 46% of

<sup>1</sup> Warner, W. L., Van Riper, P. P., Martin, N. H., and Collins, R. F. Women Executives in the Federal Government. *Public Personnel Review*, 1962, 23(4), 227-234.

<sup>2</sup> President's Commission on the Status of Women, Report of the Committee on Federal Employment, Washington, D.C.: U.S. Government Printing Office, October 1963.

those married had no children. Part-time careers apparently allow dual roles. No doubt further part-time employment experience will enable many more of the Corps women eventually to qualify for executive and policy-making positions in the federal government.

The Corps respondents had a median age of 41 when entering the Corps, similar to that of the average employed woman worker. The age range was broad, with three persons under 30 years to one person over 65 years of age. One might predict that these highly trained professional women in their middle years, like their male counterparts, will show relatively low absenteeism and labor turnover. Indeed, part-time employment may well enable women to reduce absenteeism that might be associated with their family responsibilities since they are able to take care of many of these matters during their non-working hours. The Corps women have virtually completed their families and have a long work-life expectancy. For example, the Department of Labor has reported that 24 years is the work-life expectancy of a 35-year-old working woman who has completed childbearing and has all her children in school.

With the degree of commitment shown here for permanent professional careers, and the large numbers of women who applied to HEW and to another program in Westchester County described later, we believe that permanent part-time employment for qualified professionals should be one of the goals of all equal employment opportunities programs.

#### CAREER DEVELOPMENT OF CORPS MEMBERS IN HEW

During the first 17 months of the Corps operation, seven Corps members received promotions. Three members of the Corps sample who held temporary appointments for six or 12 months received promotions at the time they were reclassified as permanent workers. This type of personnel transaction may have reduced the waiting period for their promotions. The belief has been that part-time workers are not eligible for promotion until they have worked the equivalent number of hours required of full-time workers before becoming eligible for promotions. Considerable confusion about this regulation was expressed at Corps meetings. Some supervisors were equally unable to clarify the provisions of this regulation. Furthermore, two other persons were promoted after being on the job a year, and two more were promoted after two and a half and six years respectively. In other words, permanent (but not temporary) part-time workers do receive promotions, but it may take them much longer than comparable full-time workers to obtain these promotions.

During the initial 17 months of the Corps program, horizontal—as well as vertical—mobility of the Corps workers occurred. Perhaps this type of movement was facilitated by information obtained by Corps members at periodic meetings at which high-level government officials described their responsibilities, and information about job vacancies was exchanged among members. At the time of this study, six Corps members had chosen to take other part-time positions in HEW. Four persons took lateral transfers and moved to a second job at the same pay. Two persons who changed jobs received promotions to higher paying positions.

Two-thirds of the positions of the sample were in units well established before the appointment of the part-time respondent. Three out of four of the positions held by the Corps sample had not been previously filled by a part-time worker. Fortunately, the majority (63%) of the Corps sample perceived their job duties as accurately defined at the start of their employment.

To assess the possible merits of partnership jobs, the Corps sample was asked to respond to this question: should jobs be assigned so that two persons carry on the duties of a regular full-time job, i.e., act as partners? The Corps respondents clearly rejected the partnership arrangement for their jobs. Only two persons (7%) stated that sharing a job with another person *might perhaps* be a better arrangement than the present one in which no formal arrangements had been made for sharing. One might speculate about the reasons for the negative response to the partnership concept. Perhaps the women feel that they have certain skills that cannot easily be matched by another part-time person. For example, one respondent said ". . . no one else (is) likely to have the experience I have in this area either in or out of (the) government." Perhaps the rejection of the partnership concept is related to the type of job held by Corps members; most held jobs of a staff or advisory nature. However, the partnership arrangement might be effective in operational and direct service jobs such as caseworkers and employment interviewers.

SELF-EVALUATIONS OF PART-TIME EMPLOYMENT

Corps members have often remarked that the only disadvantage of part-time employment is the part-time salary. Apparently many Corps members were well satisfied with the opportunity to be professionally employed while still having enough time to take care of the family responsibilities.

Though the Corps members viewed their jobs positively, it was apparent that they experienced some problems. Therefore, efforts were made to assess these perceived advantages and disadvantages. Corps members were asked to rank themselves on two lists relating to the difficulties and advantages they saw in their part-time jobs. Each respondent was asked to rank himself on the eight chief difficulties and the eight chief advantages.

JOB-RELATED

Many Corps members have expressed a long-term interest in part-time employment. Therefore, it is not surprising that the Corps respondents expressed some concern over their own tendency to make their part-time job into a full-time position by working longer hours than originally planned. It seems reasonable that this might happen among workers showing strong career commitment. It is here that the role of the supervisor of the part-time workers becomes critical. By the nature and timing of job assignments, supervisors can relieve some of the pressure on part-time workers who feel pushed into full-time schedules. However, when the supervisor and employee agree that extra hours need to be worked, arrangements should be made for payment for the additional hours or compensatory leave to be taken at another time.

The chief job-related difficulty concerned the possibility of slower promotions. As Corps members remain longer on the job this issue may become more important. Criteria for promotions need to be examined; is it appropriate for a half-time worker to wait twice as long to receive a promotion as a full-time worker on a comparable job? Perhaps the critical criterion is the part-time worker's contribution to the quality and quantity of the unit's work load, rather than the equivalent man-years worked.

Record-keeping of leave time is a job-related activity that may concern supervisors and record-keepers. Therefore, the procedures should be kept as simple and current as possible. For example, record-keeping of additional hours worked or compensatory leave may be simplified if the employee prepares her own memo informing her supervisor and payroll clerk of changes in her schedule. Since most governmental agencies now have computerized payrolls, salary computations should be easily and accurately performed.

At Corps meetings members expressed confusion over applicable fringe benefits. For this reason a survey was conducted seven months after the Corps was established which disclosed that two out of 32 part-time employees entitled to annual and sick leave were not receiving these fringe benefits. Approximately a year later, at the time of the more comprehensive study of Corps members, questions were still being raised about compensation and leave procedures. Civil service policies and procedures were interpreted differently by the various agency personnel offices.

Efforts need to be made to clarify the fringe benefits accruing to temporary, probationary and permanent career workers. Benefits could be spelled out in one or two simple brochures for all governmental workers, full- and part-time. For example, in the federal government temporary part-time workers with a regularly scheduled tour of duty, i.e., regular workdays and hours each week, are entitled to annual and sick leave prorated according to the number of hours regularly worked. However, temporary workers, part- or full-time, are not entitled to insurance and civil service retirement benefits to which probationary and permanent career workers are entitled. Part-time probationary and permanent career workers are entitled to one year of tenure for each year worked. These years of tenure count towards their seniority in the organization and count towards their retirement benefits. The civil service provisions accord the same fringe benefits to part-time permanent workers as to full-time permanent workers. This may not be the case among private employers and may be one indicator of unequal employment practices affecting women.

FAMILY-RELATED

The crucial family-related problem encountered involves finding and keeping reliable household and childcare help. This is a common problem for the working

wife and mother. It affects all socio-economic levels, and of course, it affects the woman working full-time even more.

#### SELF DEVELOPMENT

The Corps sample showed considerable agreement regarding ways in which their jobs contributed to personal development. The three most frequently listed advantages were: continued use of education and training; intellectual development; and opportunity for more job experience. Self development was viewed as being of greater importance than were financial factors for most of the women.

#### FINANCIAL

Since many of these professional women were adding a second income to their husband's, and work as such is the key factor, money was not the prime motivator. Four women, however, indicated that they were working to pay for essentials. It is also interesting to note that only three women felt that their salaries were too low compared to the expenses of childcare, transportation and additional taxes. Part-time workers such as the Corps women working at professional or middle management jobs probably earn enough to compensate for the expenses that come with employment. However, even at these relatively high income levels, little remains for part-time workers after expenses and taxes, since tax deductions are not available for childcare expenses for women at these income levels. Unfortunately, entry-level professional or clerical workers with children who might wish to work part-time probably cannot afford to unless they have low-cost childcare facilities or unless there is a change in the tax structure for working mothers.

#### AMENABILITY OF JOB DUTIES TO PART-TIME SCHEDULES

Corps respondents stated that they occasionally have difficulty attending irregularly scheduled meetings. Flexibility on the part of both the employee and supervisor in scheduling meetings appears to be a key element in the success of the part-time program. The respondents stated they shifted their schedules to attend important meetings and to travel. Several Corps members managed to travel as part of their regular jobs. Some respondents also said that they felt pressed for time to supervise others and to maintain staff contacts. However many full-time workers and supervisors are not always readily available for consultation either, and may also be too busy to provide close supervision. Since part-time schedules usually induce pressure, it is possible that part-time workers make particularly efficient use of their shorter work schedule. Studies on productivity need to be carried out.

Among the tasks considered most amenable to the particular part-time jobs under study are long term projects that involve writing and research. Assignments that do not extensively involve working with other staff or requiring close supervision—namely independent work—are especially well suited to a part-time schedule. It is interesting however, to note that some Corps members were able to find time to supervise a number of workers.

Outside evaluation of the effectiveness of the part-time workers is needed. In particular, study needs to be directed toward the cost of fringe benefits and the cost of record-keeping in relation to the quality and quantity of the part-time worker's job performance. It would also be useful to compare the productivity per hour worked by part-time compared with full-time workers in similar positions. Such evidence is needed to document thoroughly statements such as those described in a report from approximately 15 governmental organizations in the Washington area that supplied information about their use of part-time personnel.<sup>a</sup> These organizations "all reported such workers were as productive per hour as full-time employees, or more so. All believed part-time employment was more efficient in some situations than full-time employment. The largest number of part-time employees hired had qualifications of a kind or a level in scarce supply." Another study strongly suggests increased productivity in part-time work compared with full-time. The Massachusetts Department of Social Services work compared with full-time. The Massachusetts Department of Social Services hired 50 part-time caseworkers to fill 25 full-time jobs. After one year the new employees were said to average 89% of the productivity of their full-time col-

<sup>a</sup> Ibid.

leagues.\* Furthermore, their turnover was only one-third of that of the full-time workers.

#### SOCIAL TRENDS AND INSTITUTIONAL ALTERNATIVES TO PRESENT APPROACHES

During the 1970's the effectiveness of many existing institutions has been seriously questioned. Dramatic changes may be expected in the future that will affect family life and employment of both men and women.

#### GROWING DEMAND FOR PROFESSIONAL PART-TIME CAREERS

It is almost unnecessary to state that many women are questioning their role as individuals, and seeking greater responsibility within the world of work commensurate with their training and ability. With a greater interest in working and greater ability to control family size, the ideal of which appears to be shrinking, many women now wish to combine professional careers with marriage and children. Some evidence of the demand for this type of arrangement is the extremely large response already mentioned to the Corps' establishment and to a pilot project by an organization formed by college presidents to help reduce the attrition rate of educated women from the labor market. The organization, Catalyst, has initiated a program in Westchester County to help those of the 93,000 college educated women in that area who want to enter or re-enter the job market at a higher than clerical level on a part-time basis. After operating only one month with little publicity, Catalyst received over 300 requests for interviews.

#### DECREASED GRADUATE SCHOOL DROPOUT RATE SOUGHT

While the number of women attaining B.A.'s and M.A.'s continues to increase, the proportion of women receiving doctorates is lower now—12% in 1967—than it was in the 1920's and 1930's when the proportion reached a high of 15%. In an effort to provide solid evidence about obstacles to graduate study and the critical factors that might induce a higher proportion of talented women to complete their advanced work for graduate and professional degrees, in 1968 HEW reported a longitudinal study of women college graduates using a probability sample of 41,000 women from 135 colleges. Eighty per cent of the women in the sample felt that becoming a physician was too demanding to combine with family responsibilities, i.e., two full-time jobs. The sample was given selected measures and asked to choose the ones they thought would attract women to the fields of science and medicine (percentages reflect multiple responses). They replied that more women would complete their education if there were greater availability of part-time jobs (84%) ; part-time training (83%) ; development of childcare centers or paid allowances to cover home and childcare expenses (82%) ; increases in the number of stipends awarded women (76%) ; and greater recognition of women who are successful in these fields (73%). Commenting on the study, Dr. Milo D. Leavitt, Jr. stated "the marked fall-off of women completing graduate education in view of their initial hopes and expectations is very disappointing. Women are a source of professional and scientific brainpower—IF—steps could be taken to remove the impediments to advanced training and productive employment of women."

#### EFFORTS TO PROMOTE EQUAL EMPLOYMENT OPPORTUNITY FOR WOMEN

Steps towards achieving equal employment opportunity appear imminent with resolutions such as those adopted by the Governing Council of the American Public Health Association at its 85th annual meeting in 1970: "The APHA allies itself with the growing world-wide awareness of discrimination against women. Such discrimination exists in the health professions and must be remedied. Incentives and opportunities in the full range of health employment must be extended to women in order to benefit from the talents of women that have been under-utilized for too long \* \* \*. The APHA will assert leadership to extend its policy of equal rights in health to educational and employment opportunities for women \* \* \*."

\*More specifically, half-time workers averaged 4.49 face-to-face contacts with their clients, compared to the full-time workers 5.04. See Podell, L. *Catalyst Demonstration Project to Employ Mature, College-Graduated Women as Caseworkers in Public Welfare in Boston*. Unpublished manuscript. June 1970.

Pressure for equal treatment in employment has produced Executive Orders 11246 and 11375 which forbid discrimination by federal contractors on the basis of sex (as well as race, color, religion, and national origin) in employment, including promotion, pay rates, and admission to apprentice-training. The HEW Office of Civil Rights has ordered universities receiving federal funds to comply or lose their financial support, and in February 1971, HEW Secretary Elliott Richardson announced the Women's Action Program. He explained the department's goals as those of defining and developing strategies for achieving women's career objectives. Additionally, both men and women in HEW will identify and work to resolve attitudinal problems that limit recognition and advancement of women. Secretary Richardson affirmed that the women's issue is a growing concern in the federal government, stating, "I think HEW should participate as a leader in this area for we have an obvious and special responsibility to women here and in the society."

Recently the Women's Equality Act of 1971 was introduced in the House of Representatives to carry out the legislative recommendations of the Presidential Task Force on Women's Rights and Responsibilities. Legislative proposals mount with the pressure for equal pay and responsibility. Part-time employment of women at high levels lends itself to the equal employment opportunity program.

#### INCREASED FAMILY RESPONSIBILITIES FOR MEN

Other practices presage sharing of family responsibilities by men, thus enabling married women to have greater career involvement. In Sweden, men have already been preparing themselves for a larger role in raising young children through the Swedish school curriculum, which requires both boys and girls to obtain training in domestic science and childcare, as well as wood, textile and metal handicraft. Swedish trade unions and management organizations have worked out plans to enable men to share child-care with women. Prime Minister Olof Palme advocates greater variety in the lives of men—part-time careers, for both parents, allowing both to care for their children. "The new role of the man implies that he must reduce his contributions in the working life \* \* \* during the period when he has small children. The men should from the beginning have just as much contact with their children as the women. We should have both men and women as child nurses, kindergarten teachers, and infant school teachers."

The 1970 White House Conference on Children and Youth yielded similar recommendations from a panel headed by psychologist Uri Bronfenbrenner, who called for business and industry to establish a partnership with the young. The recommendation described the optimal situation for children as one in which both the mother and father work part-time.

#### INTRODUCTION OF THE THREE- AND FOUR-DAY WORK WEEK

Inadvertently, the idea of more contact with their children by their working parents has already taken form in experiments with the three- and four-day work week. Economic incentives in the 1960's spurred several companies to experiment with the three-day, 36 or 37½ hour week and the four-day, 40 or 35 hour week. Benefits include attraction of new employees, especially women who might not otherwise work, flexibility in production schedules and a cut in absenteeism. According to Edward M. Honan, Assistant Vice-President at the Metropolitan Life Insurance Company, which began in 1969 to run its computer operations on a three-day week to attract new workers, the innovation yielded "a higher caliber employee, a more stable force" as well as a money savings on job training.

#### ESTABLISHMENT OF YEAR-ROUND SCHOOLS

Another alternative to accepted but limiting practices is the year-round school program, which either extends the traditional 180-schoolday year or alternates the vacations of the school population, keeping the schools open year round on a quarter or trimester system. The benefits in this context include greater numbers of babysitters, since teenagers would be in the labor market year-round, the end of the three month summer break requiring special arrangements for children and flexibility in vacation scheduling. Virtually all state legislatures are studying the possibilities of year-round schools, according to Dr. John D. McLain, Chairman of the Pennsylvania Task Force on Education, and 100 school systems in various states are actually implementing longer school years. Pilot

projects like the Valley View 45-15 in Lockport, Illinois (45 school days and 15 vacation days year round) are attracting wide attention and appear successful.

**INCREASED PART-TIME OPPORTUNITIES FOR DIFFERENT GROUPS OF WORKERS**

Part-time work for both men and women over 60 is one answer to the need to use the experience, dependability, and expertise of those arbitrarily barred by age from working in some companies. Within the U.S. are a growing number of employment offices only for individuals over 60, whose clients possess experience that cannot be duplicated.

Flexibility for both men and women to split their time between university appointments and government or private jobs—possible now only to a limited extent—brings greater experience and probably productivity to both areas. Other candidates for part-time employment include persons who for health reasons are more productive on a less than full-time basis.

As women's career expectations continue to rise, and as modifications occur in family structure, and in educational and employment institutions, more women will be able to make significant contributions to the world of work.

**RECOMMENDATIONS\***

1. Equal employment opportunity programs for women need to include provisions for making permanent part-time positions available to professional workers, thereby providing opportunities for highly trained women with family responsibilities to hold professional positions and to progress to executive and policymaking positions.

2. High level administrative support, on a continuous basis, is needed to assure the success of the part-time employment program.

3. Efforts should be made to increase the visibility of successful part-time workers so that agencies and supervisors will be encouraged to hire *permanent* part-time workers.

4. Personnel ceilings, that is ceilings on the number of employees an agency may hire, should be based on man-hours worked rather than on the number of full-time positions, thus allowing two half-time positions to amount to one full-time position.

5. Statistical reporting systems need to designate a separate category for permanent, part-time workers as opposed to grouping them with temporary, part-time or intermittent workers.

6. The Civil Service Commission should develop a brochure on employee regulations and benefits for part-time workers. This brochure should:

Include definitions of temporary, probationary and career appointments. Describe fringe benefits available to part-time workers in the above categories, including annual and sick leave, health and life insurance, retirement benefits, and eligibility for promotion.

Clarify current rules affecting personnel ceilings by indicating whether part-time positions take up entire full-time slots or whether part-time positions take up a fraction of the full-time slots.

The brochure might be reissued for full-time personnel covering similar definitions and rules for full-time workers.

7. The coordinator of the part-time program of the equal employment opportunity program for women should review appointments of part-time employees after they have been on the job for three months in order to determine (a) whether persons need to find probationary jobs if the present one is temporary and (b) whether part-time employees are receiving appropriate fringe benefits, correcting any inequities found.

8. Agency heads need to expand part-time job opportunities by identifying assignments and recruiting qualified personnel.

9. Agency heads should consider using the partnership sharing concept in opening part-time employment opportunities in operations or direct service jobs such as caseworker or employment interviewer jobs, whereby two half-time workers would share one full-time job.

10. Supervisory training programs should include a section on employment opportunities for women (including the use of permanent, part-time workers). By

\* Recommendations reflect the authors' opinions, not necessarily those of HEW.

means of intra-agency and inter-departmental workshops, supervisors of part-time and full-time employees should have the opportunity of exchanging information regarding the employment of part-time workers as well as other matters concerning women employees.

11. Efforts need to be made to stimulate and support personnel research on part-time employees. Attention needs to be drawn to the study of the productivity of part- and full-time workers on the basis of per hour worked and the need to assess the value of part-time workers under tight budgets.

12. Efforts need to be made to employ part-time workers in shortage fields, especially during periods of high employment.

13. Permanent part-time job opportunities should be made available to men and women, the young, and the semi-retired, as well as to handicapped persons, who choose to work part-time and who have skills needed to achieve agency goals. Furthermore, low-income working mothers need part-time employment in order to pursue further education, participate at their children's day care centers, and also to facilitate their triple roles as homemakers, parents and workers.

[Personnel News, International Personnel Management Association, vol. 39, No. 9, September 1973]

(Submitted by Federally Employed Women, Inc. (FEW))

**NO. CAROLINA STATE EMPLOYEES INTRODUCED TO "FLEXITIME"**

State employees in executive departments in Raleigh, NC., are being introduced to the concept of "flexitime" during the summer months. Under this plan, employees observe varying flexible schedules within certain limits. They may come to work between 7:30 a.m. to 9:00 a.m. and leave between 4:30 p.m. and 6:00 p.m. after working eight hours.

All employees will be at their jobs between the hours from 9:00 am. to 4:30 p.m. Services to the public will be provided during the regular 8:00 a.m. to 5:00 p.m. period. A state department may elect to go on "flexitime" or retain the normal 8-5 working hours.

Much interest is being generated by the concept of a flexible working schedule as an alternative to the four-day week. It has similar advantages—the staggered work schedule that alleviates heavy traffic congestion during rush hours, and permitting employees time for personal errands or recreational activities.

The main difference is that in a staggered schedule, employees are assigned a definite arrival and departure period, whereas under "flexitime" employees may chose their arrival and departure times from day to day.

Studies conducted on the experience of European countries and organizations in the United States on the use of "flexitime" are encouraging. Managements that have converted to this schedule are pleased with the results, especially with the improved employee morale.

After the summer, an evaluation of the North Carolina experiment will be made. If the trial period is successful, "flexitime" may become a way of life for employees of the state on a year-round basis.

[From the New York Times]

(Submitted by Federally Employed Women (FEW))

**PART-TIME WORKERS—MAKING INROADS INTO A FULL-TIME WORLD**

(By Nadine Brozan)

The part-time job: Once it was the stepchild of industry, the housewife's panacea for boredom, the breadwinner's source of supplemental income. Now by the virtue of a slow but steady revolution, the permanent (but less than 35-hour-a-week) position is beginning to achieve the status of Career.

For mothers, it offers the means of keeping a hand in the professional pie without sacrificing the family.

For recent college graduates, it is an escape hatch from the 9 to 5 trap.

For corporations, under pressure to implement affirmative action programs, it provides a magnet for talented females.

For some Government officials, it is a potent weapon against discrimination in employment.

And for trend watchers, it signifies a change in society's values.

"The life patterns of men and women are converging," said Felice N. Schwartz, president of Catalyst, a nonprofit, educational organization. "We're building toward a different future, one of fuller lives for everybody, which, for women, means less family and more work and for men, more family and less work."

SEES CONTINUED TREND

Mrs. Schwartz founded the organization 11 years ago to eradicate the either/or choice educated women had to make between family and career. Although she foresees a continuing stampede of women deserting kitchen for office, she doesn't envision all of them relinquishing their maternal obligations. Rather, she predicted, they would be shared with husbands in greater "participatory child-rearing."

While men have yet to curtail their work schedules to tend to their children in more than token numbers, there is no question that more women are clamoring for part-time opportunities.

"I must have 100 candidates for every opening. I interview 12 to 15 women a day and have nowhere near that number of positions," said Ina Torton, who established the Newtime Agency to foster the 25-hour week (motto: "If Madame Curie were alive and only able to work from 9:30 to 3:15, would you hire her?"). In three and a half years, Newtime has placed 800 people (98 per cent of them women) in 25-hour jobs.

In 1962, 5.1 million Americans worked at year-round, less than 35-hour-a-week jobs. In 1972, the latest year for which the Bureau of Labor Statistics has compiled data, those ranks had burgeoned to 6.5 million. "And women accounted for 80 per cent of that increase," said Samuel Ehrenhalt, the Labor Department's deputy assistant regional director for labor statistics.

NOT AN ENTRENCHED PRACTICE

Furthermore, Mr. Ehrenhalt pointed out, "The rise in women working part-time year-round has been greater [37 per cent in 10 years] than the rise in total national employment [18 per cent].

While the employment of part-time workers clearly is more than a noble experiment, it is still far from being an entrenched practice.

Large segments of industry, including the top five companies in the Fortune 500 list, adamantly resist bending their policies. Along with countless other businesses, they maintain that the need for continuity and the pressure of production deadlines mitigate against short shifts.

"There is an adequate supply of people in the labor market who want and who need the opportunity to work fulltime," insisted Victor Pesqueira, corporate information officer for the International Business Machines Corporation, which has a payroll of 146,000 workers. "As such, we have very few part-time employees, no more than 300 or 400, and they are nurses, security guards and cafeteria workers."

On the other hand, a growing number of companies are beginning to study claims by advocates of the part-time schedule that it offers savings in salaries and fringe benefits, fuller utilization of machinery and a larger pool of talent from which to draw. An added lure is the contention that the part-time worker provides greater production per hour than his full-time colleague.

J. Walter Thompson is one company willing to explore the advantages. "As an organization, we are seriously thinking of two-for-one jobs and part-day jobs," said Matthew Park, a vice president and director of personnel for the giant advertising agency. "I hope that we will come out, at least philosophically, with this kind of approach in the near future."

The Metropolitan Life Insurance Company is one of the companies that has already utilized such two-for-one and part-time patterns. It currently employs 150 women who share assignments on an alternating-week basis and another 850 permanent part-time workers. Willard W. Peck, a vice president, said such restructuring has "been good for us."

"We get solid, capable people who stay with us on a career basis and whom we would never have found otherwise," he said.

On a smaller scale, several members of the staff of Brde's magazine, including the art director and the articles editor, work three days a week. But secretaries work full-time.

#### MAINLY IN LOW ECHELONS

"Creative people take their heads with them wherever they go, but someone who answers the phones, has to be there all the time," explained Barbara Donovan Tober, the editor-in-chief.

The bimonthly publication is an exception. Experts agree that existing part-time jobs tend to be concentrated at the lower levels of responsibility and remuneration.

The First National City Bank, for instance, actively recruits part-time employees; in fact, while its full-time force for its 220 branches shrank in the last year, its part-time cadre grew. But such part-time workers are clerks, machine operators, typists, secretaries, platform assistants, tellers, patrolemen and messengers.

On the other hand, in the executive suite "we really don't have anyone who is a part-timer," said Michael Tepedino, the bank's manager of professional recruitment. "The bank just isn't geared on a managerial level for part-time jobs," he said, echoing a sentiment common to many other businesses.

#### LEGISLATION PENDING

Senator John V. Tunney, (Democrat of California) had restrictions on part-time work in mind, along with other factors, when he introduced his Flexible Hours Bill in the Senate in June. Representative Bella Abzug (Democrat of New York) proposed the identical bill in the House; both versions are now in committee.

The legislation would make 10 per cent of all Federal civil service posts part-time within five years and it would be applicable to everyone from messengers in the lowest grade to department heads in the highest.

"The purpose," Senator Tunney said in a recent telephone interview, "is not just to make secretarial jobs available but ones in the supergrades, too." He added that he hopes the bill has a substantial constituency, "especially among the women who want to do more than change diapers."

Although the Government employs 193,000 part-time workers, the Nixon Administration has taken a dim view of mandating the practice into law.

Passage of the bill would accord to part-time labor a seal of approval that adherents maintain is much needed.

"Part-time work still has the stigma of being somebody else's leftovers; it's traditionally been considered demeaning," said Ina Tortor, the Newtime Agency founder. "I have met lots of women who are working part-time secretly because they think their co-workers will protest or think they're doing something terrible."

#### CELEBRITY THROUGH SCHEDULE

Those women willing to talk about their successes often find themselves in the spotlight.

"I'd be a lot less famous," said Carol Greenwald when asked about the effects of her 9 A.M. to 1:30 P.M. five-day position as assistant vice president of the Federal Reserve Bank of Boston.

That part-time work can have ramifications beyond the office is exemplified by the William D. Deans, who share a full-time teaching position at Gustavus Adolphus College in St. Peter, Minn.

Because their partnership splits the college's normal load of three courses (Mr. Dean, associate professor of religion, teaches two, and his wife, an assistant professor specializing in women's studies, one), they have no need for outside help to care for their two children and also divide domestic chores equally. Mr. Dean does the ironing "by default." Mrs. Dean said, adding: "I do the cooking."

"I value the daylight hours home with my children and the freedom to do independent research." Mr. Dean said. "The variation between professional and domestic work leaves me fresher, so I find the time I am working I am more productive."

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## PART-TIME EMPLOYMENT, A MANAGER'S ALTERNATIVE IN STAFFING

Part-time workers are available.  
Their use brings social and program gains.  
Business and industry value part-time workers,  
finding them an employment bargain.  
The Government uses part-time workers,  
and HEW's experience has been positive.  
Although constraints are perceived,  
there are ways to use more  
both within the present system  
and by changing the system.

HEW Federal Women's  
Program, May 1973

Contributors: Carolyn Casper, NIH, Office of Management Policy;  
Richard Gay, OS/C, Division of Operations Analysis; Elea Porter,  
SRS, Office of Organizational Development; Jean Stern, SSA,  
Division of Financial Management.

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Constraints on employment ceilings in Federal service constitute one of management's recurrent concerns. Seldom can a manager be satisfied with his programmatic performance, faced as he is with regular limitations on staff. By contrast, industry has been capable of ingenious solutions to peak-load and skills requirements by applying flexible working hours and, overwhelmingly, by the use of part-time employees.

Reluctance on the part of the Government to model its staffing after the industrial pattern may be costly in terms of both Federal budget and program benefits.

Part-time workers - An Emerging Resource  
Part-time workers comprise an increasingly important proportion of the Nation's workforce, supplying trained manpower needs. In 1967, 6 million women worked part-time out of choice. Three million of them worked part-time year round. In a 16-year period (1950-66) the full-time labor force increased by 20 percent, and the part-time workforce by 69 percent. The proportion of women in the part-time labor force increased by 79 percent.

In 1967, BLS estimated that by 1980 one worker out of every 7 would be part-time. But the rate of increase in part-time workers has been so great that the ratio of 1.7 was reached by the end of 1972, eight years ahead of the estimate. More than 12.5 million

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American workers were part-timers at the end of last year, 5 million more than BLS found in 1963 when it began keeping those statistics.

Skilled professional part-time workers are usually women. Those men who have part-time jobs are generally students or older men. Many more women want to work part-time but cannot find jobs. The unemployment rate in 1971 for women with young children was almost 12%, close to three times the rate of other married women, a condition which is costly to the women, their families, and the Nation.

Part-time Workers and the Economy

The President's Advisory Committee on the Economic Role of Women finds that the addition of these millions of women to the labor market contributes significantly to the national output as measured by gross national product. While most of the benefits of this additional output accrue to the women who produce it and to their families, there are direct benefits to society at large, including the taxes paid on women's earnings.

Frustrated with the lack of part-time jobs, women who seek Federal service are more and more demanding childcare centers. Yet, institutional childcare is not at all the preference of most women. A Government survey in 1965 found 73% of the mothers preferring childcare in their own homes. Most educated women in the child-rearing years opt to work part-time since they highly value the personal attention they can give their children, even at a sacrifice in earnings.

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Besides, while the 40-hour week has become a sacrosanct standard in Federal government, some years ago 40 hours would have been only part-time for civil servants. What is now part-time for the Government (39 hours or less) is actually fulltime for an increasing number of industries. There is no management standard which deifies a specific number of workhours, or which determines at what point Parkinson's Law ("The amount of work expands to fit the available time") begins to operate.

That part-time workers are "management bargains" has been the theme of most evaluations which the increase of part-time workers has generated. Some of the advantages found were:

- ° greater selectivity possible by the employer
- ° low turnover rates
- ° lower fringe benefit rates
- ° high productivity
- ° greater maturity - ability to organize, to make relationships, to synthesize work
- ° stronger motivation, growing out of appreciation for maintaining skills

The American Society for Public Administration endorsed part-time work in private business as a source of specialized, high calibre professionals. The Wall Street Journal considered the advantages of part-time workers as meriting a frontpage story in March of this year. The Russell Sage Foundation, the Radcliffe Institute, Harvard, Stanford and Princeton are among institutions finding the use of part-time women of value.

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A welfare department in Massachusetts found that half-time workers carried a more-than-half caseload and completed a significantly higher number of client contacts than fulltime workers. Their turnover rate was only about a third of that of fulltime workers.

School superintendents have been highly enthusiastic about the professionalism of their part-time permanent teachers.

Within the Federal Government, experiments with part-time women workers have been tried in AEC, Department of Labor, HUD, Peace Corps, National Science Foundation and the Veterans Administration, which employs 5500 part-time women. Agriculture, Interior and Justice have recently shown interest in attempting similar programs.

HEW, at the end of January this year, had 3303 part-time and intermittent workers out of 117,425 employees. One position out of every 36 was held by a part-time or intermittent worker - 2.8% of all positions. Of these, 444 were permanent part-time workers - one position out of every 264. Women, most of them in the child-rearing years, comprised 79% of these permanent part-time workers. They ranged from GS-1 to GS-15, with an average grade level of 5.64. The largest numbers were employed by HSMHA. (See table on page 15)

In 1967, HEW actively sought accurate matches between part-time jobs and young married women with children. Beginning with 22, the so-named Professional and Executive Corps expanded to 40 within 17 months. The women were employed by OS, OE, HSMHA, SSA, SRS, and FDA. In 1971, an evaluation of the Corps, made by OPT, was positive.

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Although the P&E Corps as an entity no longer receives official HEW attention, some of its original members are still productively employed in HEW.

SSA has 469 part-time workers, 78 of them permanent part-time women, and finds them particularly useful in District Offices, where they work from 10 AM until 3 PM during peak interview hours. SSA calls this a profitable situation, resulting in high quality employees who are very productive. Managers are felt to have more leeway and more discretion.

HSMHA has 654 part-time workers, 251 of whom are part-time permanent. Of these 189 are women. A Personnel Officer in HSMHA states that these women usually produce more work in 6 or 7 hours than others do in 8. In NIMH, part-time workers have been used for the past fifteen years. In the Laboratory of Socio-Environmental Studies, 80 to 95% of the part-time work group are women, found to be highly suitable to social research.

NIH has 436 part-time workers, 11 of whom are permanent part-time women. NIH has used part-time women since before 1960, largely in technical and clerical positions. Many are nurses required in the Clinical Center. Professional part-time women are also employed by NIH. In NHLI, part-time women workers are said to accomplish as much in 6 hours as other workers accomplish in 8, since there appears to be a "certain lag time during each day which 8-hours workers put in and 6-hour workers do not." A Health Manpower Education official feels that general acceptance of permanent part-time work is desirable.

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Why not use more?

Since the supply of experienced, mature women who seek part-time work is on the rise, and since business and the Federal Government - even HEW and its Agencies - have found their use valuable, and since managers generally suffer from staffing deficiencies.....the obvious question is: why have HEW managers not used more of them?

The answer seems to lie in the budget process and employment ceiling controls which have created an artificial dichotomy between full-time and part-time employment - a dichotomy which need not persist if the facts are understood.

These controls have emphasized full-time employment and given little attention to part-time. The effect has been to focus management attention on fulltime with no incentive to establish and maintain an optimum employment mix. Managers will find a distinct advantage in understanding:

- how part-time employment is reflected in the budget process
- how employment ceilings apply to part-time employment
- the weaknesses in both
- prevailing practices in circumventing ceiling restrictions
- and possible solutions for minimizing unnecessary distinctions between full-time and part-time employment.

In the budget process Congress provides for two categories of employment. For HEW appropriations containing funds for personnel compensation, one or both of these two categories will appear:

Total number of permanent positions  
Fulltime equivalents of other positions.

A permanent position is one which has been, or is intended to be, occupied by a fulltime employee for a year or more. When appropriated

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by the Congress, the total number of permanent positions authorized is generally accepted as being the maximum number of permanent positions that may be occupied by fulltime employees at the end of the fiscal year. As a practical matter, however, most organizations treat the total number of permanent positions as an absolute limit throughout the fiscal year as well.<sup>1/</sup>

The budgeted figure for fulltime equivalents of other positions is a manyear allowance. This allowance provides for the hiring of part-time employees, intermittent employees,<sup>2/</sup> and those fulltime employees occupying positions established to exist for less than one year. Unlike the allowance for permanent positions, the allowance for full-time equivalents carries with it no actual or implied limit on numbers of people employed either at fiscal year-end or during the fiscal year.

One could consider the authorized manyears as a limit on the amount of manpower expended in other than permanent positions, but no such control is currently being exercised within the Department.

While the President's budget and the budget as submitted to the HEW-Labor House Appropriations Sub-committee both carry several summary tables displaying by agency, authorized permanent positions, there is no similar presentation of "other employment."

Dollars are the primary concern of the HEW budget. Generally, employment decisions follow dollar decisions every step of the process from the program to the Congress. With few exceptions (notably SSA) employment requests lack estimates of workload or other supporting data that would permit a rational assessment of employment requests. But even if programs provided such data, it is doubtful that employment allowances by OMB, the Department, or the agencies, would change significantly.

Employment allowances at every level tend to be rough approximations of relative program merit made within overall OMB position-dollars. The foregoing process relates only to permanent positions. No significant consideration is given to program requirements for other than permanent employment by the Department, OMB, or in subsequent justification to Congress.

The indisputable fact seems to be that "other employment" has very low priority in HEW's budget process.

1/ This would not be true for a program undergoing reduction. There, the authorized permanent positions would represent only a fiscal year-end limit on employment.

2/ The primary difference between part-time and intermittent employees is that the latter have no fixed work schedule.

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OMB provides the Department with two employment ceilings. One is for fulltime employment in permanent positions. The other ceiling is on total employment and includes those fulltime employees just mentioned, plus those fulltime employees serving in temporary positions, parttime employees and intermittent employees.

The difference between the ceiling for fulltime in permanent positions and total employment provides for "other employment".

This difference is not a ceiling, but rather a base allowance for these types of employees. Unused ceiling for fulltime employment in permanent positions may be used for "other employment" so long as the total employment ceiling is not exceeded.

OMB's employment ceiling for permanent positions is on a one-to-one basis. For example if a program's budget for 20 new positions is appropriated as presented to Congress, that program's permanent employment ceiling will be increased by 20. However, the ceiling allowances for "other employment" do not follow the same pattern. Budget increases for "other employment" are in terms of manyears - fulltime equivalents of other positions.

There is no direct way to relate the Department's total manyears to employment. To do so would require an appropriation-by-appropriation analysis to determine for each the appropriate ratio of employment to manyears. These analyses are not made. The budget justifications seldom, if ever, even mention "other employment." The process leaves open to question the basis for OMB's allowance, as well as the Department's request.

OMB's ceilings apply to one point in time - June 30, the fiscal year-end. Compliance with ceilings is monitored through the Government-wide Monthly Report of Federal Civilian Employment Short Form SF-113A. While nominally this is a month-end report, it specifically counts "fulltime and regularly scheduled part-time employees on the rolls in pay status on the last workday of the calendar month and any intermittent employees who were paid for work at any time during the month."<sup>1/</sup>

There is no ceiling on employment during the fiscal year. True, OMB Circular A-64 requires agencies "to ensure that...employment is not permitted to reach a point at any time during the year which would require reduction-in-force or any other disruptive or uneconomical actions to get within the approved ceiling by year-end."

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<sup>1/</sup> For reporting convenience, HEW reports for July through May are as of the end of the last full pay period of the month. Only in June does the Department follow the precise requirements.

While this would appear to be a fairly liberal policy, most program managers hesitate to let their fulltime employment in permanent positions exceed their authorized total number of permanent positions. However, since there is not the same constraint for "other employment", A-64 does provide substantial hiring latitude.

There are weaknesses in "other employment" controls which cause managers to have difficulty in administering them. For example:

- There is no convenient mechanism for relating the manyears approved in the budget for "other employment" to the "other employment" allowance provided by OMB and distributed by the Department. In fact, there seems to be little relationship.
- Ceiling administration in some agencies tends to be conservative. Allowances for "other employment" become absolute ceilings throughout the year. This practice unnecessarily restricts agency and program flexibility.
- Managers can hire parttime or intermittent employees against unused ceiling for fulltime employment in permanent positions, but only on a one-for-one basis. Thus, if a manager with an unfilled permanent position wanted to hire two people half time, he might be prevented as it would mean counting two people against the organization's employment ceiling instead of one were the position filled by a fulltime person.

The apparent inequity of the last example has been the subject of much discussion. In November 1970, Senator Javits spoke to the Senate on Part-time Jobs for Women in Federal Government. Senator Javits pointed out the need for flexibility in employment ceilings in order to permit the conversion of "one fulltime job into two halftime jobs without paying any 'extra price' in terms of job ceiling." He introduced into the Congressional Record correspondence on parttime employment exchanged between his staff and OMB.

From the correspondence with OMB he concluded, "Thus it now appears that applications for conversion of an employment ceiling to permit the splitting of one fulltime job into two half jobs would be most routinely granted..."

The Javits/OMB exchange, subsequent news articles, and an issuance on the same subject by CSC have served to keep alive misguided efforts to promote job splitting for veterans and women. Many have felt that managers could easily convert permanent positions on a 2-for-1 basis; that OMB had now changed policy and was now willing to allow agencies to count two part-time employees against one fulltime position.

Unfortunately, the assumptions are not accurate. OMB has said that "if concrete plans are developed and as an agency can demonstrate

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the need, we will be glad to entertain specific proposals for the reduction of fulltime permanent, and increase the parttime positions in a ratio that seems reasonable under the circumstances."

Thus, the basic ground rules are still the same: you can give up permanent positions (that is, eliminate them from your budget) in exchange for "other employment", but you cannot count two halftime employees against one fulltime position.

Even when a manager gives up permanent positions, the justification requirement established by OMB makes it unlikely that agencies will seek approval for such a conversion. The CSC has also made it clear that the conversion mechanism applies to "program-size adjustments...and not simply to a small number of cases..."

Besides, neither OMB nor CSC make any provisions for reversing the process - giving back the permanent slots - should the situation which led to the conversion later change.

Clearly this is not the mechanism for the individual manager to use to obtain an optimal staffing mix of fulltime and parttime employees. Nor does the process live up to Senator Javits' hope of a flexibility that will permit the executive to make the most effective use of an important and effective segment of the employee population.

Existing Alternatives  
There are better solutions. The current system's distinction between two classes of employment and its emphasis on year-end census invites certain circumventions. Enterprising managers have solved two recurring staffing problems in these ways:

Problem 1. How to hire a fulltime employee when you are already at your limit for fulltime employment in permanent positions?

Solution: Hire a parttime employee for a 39-hour week.

Solution: Hire a consultant. A consultant is considered as being on a intermittent duty schedule and is not counted against permanent employment, even if he works 40-hours a week.

Solution: Create a temporary position. It can be filled for up to a year by a fulltime employee without counting against the permanent employment ceiling. (Even longer if the year-end constraint is not enforced.)

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**Problem 2.** How to bring end-of-year employment within the June 30 ceiling with minimal program disruption?

**Solution:** Defer until July the payment of those intermittent employees (usually consultants) who have worked only a few days in June and who are not financially dependent upon their Federal pay.

**Solution:** Separate employees with temporary appointments before the last workday in June, and reappoint them on July 1. In fact, the employee may be reappointed the following day if the reappointment action is held until after the deadline for submitting data to the employment reporting system. Then, there will be no break in service.

There are at least two other, more basic, ways in which the full advantage of the present system can be utilized.

(1) Simultaneous consideration of all manpower requirements should help to eliminate the ad hoc approach to "other" employment ceiling allowances. Such an attempt was made this year.

For the 1974 budget submission from the agencies to the Department, and from the Department to OMB, manpower justifications were required. The format for these justifications called for agencies to present their new staffing requirements in sufficient detail for the merits of their proposed staffing to be assessed.

The results were poor. Except for a few activities, the justifications consisted of program description and how the new positions would be used. Though specifically requested, little information was forwarded on how the number of required positions was determined, what workloads were involved, what alternatives might be tried. There was little mention of "other" employment.

Despite the initial poor quality, the approach is sound and should be continued. Thoughtful, factual and substantiated manpower justifications should result in better program decisions throughout the budget process.

There is a definite need to insure that the Department considers "other" employment requirements along with permanent positions at each step in the budget process. The sequence of budget decisions is dollars and then positions. This is an iterative process

starting with a program's request to agency staff, then to the Department and subsequently to OMB. The process (request, decision, appeal, decision) goes on at each level - dollars first and then positions.

But throughout the process, the primary focus is on dollars. In the rapid cycling, position decisions are squeezed into very tight time constraints. It is no wonder that "other" employment is rarely if ever discussed. In fact, since employment for other than permanent positions does not appear in the budget, allowances are generally deferred until after the President's budget is finalized.

(2) In another area, managers must be made aware of the hiring flexibility they have within their allowances for "other" employment. Are fulltime employees currently performing jobs which do not actually require 40 hours of effort every week? Could some tasks be performed on a parttime or intermittent basis, thereby freeing up a permanent position for work of a higher priority? Do some tasks lend themselves to being performed as short-term projects where a temporary position could be established for just that purpose, and then abolished?

Managers should be encouraged to explore more imaginative solutions to their staffing problems.

Perhaps, though, the most productive change in staffing could result from persuading OMB and CSC to modify the present system for counting "other" employment. The current system of reporting requires a monthly count of all temporary, parttime and intermittent employment. This report treats all "other" employment as a total, regardless of the number of hours or days worked by each person.

The proposed modification would permit counting "other" employment on an equivalency basis. Two halftime employees would then count as one in the monthly employment report. Consultant hours would be accumulated and reported on an equivalency basis.

On balance, the total manyears appropriated to an account seems to offer a more rational employment control than the present total employment ceiling. This substitution would require no significant change in budget formulation, nor in the format for reporting Federal employment. It would provide a direct relationship between employment controls and the manpower appropriated by Congress. Further, a control on total manyears would substantially reduce the agencies' need for

year-end employment machinations to achieve ceilings. Employment accounting for permanent positions would remain unchanged.

To substantiate this proposal with OMB, HEW might apply such a system to one or more of its agencies and then use that experience as a basis for a request to change the system. SRS, OE, or FDA would be good candidates for the experiment since almost all of their employment is in a single account. Their "other" employment is relatively small. The risk of year-end employment significantly above ceilings assigned under the current system would be minimal, and could easily be absorbed within the overall Department ceiling.

There are undoubtedly other reasons for opening employment doors to part-time workers in HEW. There are undoubtedly other means of doing so. The startling fact, though, which emerges from the considerations made in this examination of the situation is that managers have many options in their staffing which they do not currently use.

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Distribution of HEW Employees by  
Agency and Duty Status  
January 30, 1973

	Fulltime	Parttime	Intermittent	Total	Ratio
OS	5263	90	108	5461	1:26
OE	2861	21	24	2906	1:65
HSMHA	28411	654	882	29947	1:19
SSA	56604	469	15	57088	1:118
SRS	2548	27	32	2607	1:44
FDA	6584	77	77	5738	1:37
NIE	155	2	5	162	1:23
NIH	11696	436	384	12516	1:15
DHEW	114122	1776	1527	117425	1:36

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Part-time Permanent Employees in HEW  
by Agency, Sex and GS level, 2/73

GS	OS	OE		HS		SSA		SRS		FIA		NIE		NIH		Total	
		m	w	m	w	m	w	m	w	m	w	m	w	m	w		
1				2	1	1	6			1						11	
2				10	5		1			1				1		18	
3	1			6	17	5	20			1	1					51	
4	1			4	37	1	12			2	7			3		67	
5	1	2		8	40	1	8			2	24			2	3	91	
6	4	1		2	15	1	10			1	4				1	40	
7	1		1	4	31	1	2			1	2				1	44	
8	1				13		2									16	
9			1	1	11	1	7				1			2		24	
10																	
11	1		2	5	6		5			2	2					23	
12	2	2		6	7	1	2				1		1			22	
13	1				4	3	2			1	2					13	
14		1		6	1	1	1				1					11	
15	1				8	1	1				2					13	
Total	3	11	1	9	62	189	17	78	-	6	9	45	-	1	2	11	444

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October 19, 1973

Hon. Gale W. McGee, Chairman  
Committee on Post Office and Civil Service  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The National Association of Letter Carriers desires to take this opportunity to respond to your invitation to express our views on S. 2022, "Flexible Hours Employment Act," introduced by Senator John B. Tunney on June 19, 1973.

After reviewing the provisions of this bill, we find ourselves to be sympathetic to the broad overall purposes delineated, as well as being most concerned with several of the aspects of the proposal.

Our first concern appears in Section 1 (1) of the bill, which includes the United States Postal Service in the definition of an "executive agency."

With the enactment of the Postal Reorganization Act (Public Law 91-375) which created the United States Postal Service as an independent establishment of the executive branch of the Government of the United States, the Act also included provision for the establishment of bargaining units among the postal employees and afforded to labor organization(s) selected through appropriate procedures the right to bargain with the U. S. Postal Service in the area of salaries, hours of employment and working conditions.

The National Association of Letter Carriers has been designated as the labor union representative for all those employed in the city letter carrier craft within the Postal Service and, as such, has negotiated an agreement which is currently in effect which carries, among other issues, provisions for hours of work, employee classification and assignment of employees.

It is our belief that, if S. 2022 would become law, to require the U. S. Postal Service to adhere to its provisions would not only negate the current contract, but would also seriously limit the right of the U. S. Postal Service to enter into meaningful collective bargaining on these issues in the future.

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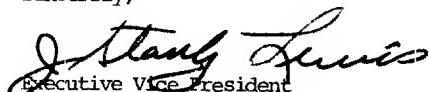
Under the terms of the current agreement, there is allowance for both "casual" employees and "part-time" employees. The "casual" employees may be utilized only for limited periods as a supplemental work force and cannot exceed 7 percent of the total number of employees covered by our agreement. The "part-time" employees can be assigned to less than 40 hours of work per week for an unlimited period but are to be available for such flexible work schedules as is required by the Postal Service. These employees cannot exceed 10 percent of the total number of employees.

While you might find that the provision mentioned above is not in conflict with the provisions of Section 2 of S. 2022, it must be recognized that these categories and numbers of employees who are employed less than a full 8-hour day or 40-hour week were the results of labor-management negotiations. It is our strong feeling that this matter should be left at the collective bargaining table rather than to have limitations imposed as a matter of law.

You will recall, Mr. Chairman, that when the Postal Reorganization Act was being considered, great stress was placed upon the collective bargaining aspects of the legislation. To maintain the principles set down in the law, we feel that provisions such as those contained in S. 2022 would prove detrimental to the free collective bargaining processes.

We appreciate this opportunity to detail some of our views on this subject to you for your information, as well as that of the other members of your Committee.

Sincerely,



J. Stanley Lewis  
Executive Vice President

JSL:L  
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PETER FOSCO, General President      TERENCE J. O'SULLIVAN, General Secretary-Treasurer      ROBERT J. CONNERTON, General Counsel

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INTERNATIONAL  
UNION of North America**



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September 28, 1973

*Camera Copy*

Senator Gale McGee, Chairman  
Committee on Post Office and Civil Service  
United States Senate  
6206 DSOB  
Washington, D.C. 20510

Dear Sir:

We would like to take this opportunity to set forth our Union's position relative to Senate Bill 2022, introduced June 19, 1973.

The Mail Handlers Division of the Laborers' International Union of North America, AFL-CIO, has national exclusive bargaining rights for approximately 48,000 mail handlers throughout the United States.

Our Union's primary objection to the bill is found in Section 1, (1) which includes the United States Postal Service's coverage under the "Flexible Hours Employment Act."

Our Union is in strong opposition to the proposed legislation because if adopted, it would contravene the collective bargaining agreement negotiated between the United States Postal Service and the postal unions that went into force and effect on July 21, 1973, and which is effective until July 21, 1975. The agreement provides that during the above period of time there will be a reduction in casual and/or part-time employment in the Postal Service from eight percent of the work force covered to seven percent.

Going beyond the language contained in the legislation, I would like to present the following additional information for your perusal. As you know, the Postal Service, under the provisions of the Postal Reorganization Act, is in a transition from a labor intensive industry to a capital intensive industry. This means a decrease in the number of employees in the work force. It must follow that in order to provide employment for the remaining full-time employees, that casual employees and part-time employees will have to be phased out. So, even if the legislature passed, it is unlikely it could be applicable, from a practical standpoint, to the Postal Service.

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Also, historically the Postal Service has maintained a substitute work force of 20 percent, and a casual work force of eight percent, and in my opinion, because of this short term employment, the turnover rate has, at times, been as high as 60 percent. This has been a major factor in the low productivity and inefficiency of postal operations.

We appreciate very much your consideration of this matter and hope that you will support our position to eliminate the United States Postal Service from coverage under this proposed legislation in order to protect the legality and sanctity of the collective bargaining agreement.

Yours very truly,

  
JAMES J. LA PENTA, JR.  
DIRECTOR, FEDERAL-PUBLIC  
SERVICE DIVISION

cc: Honorable John V. Tunney

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U. S. DEPARTMENT OF LABOR  
OFFICE OF THE SECRETARY  
WASHINGTON  
NOV 16 1973

Honorable Gale McGee  
Chairman, Committee on Post Office  
and Civil Service  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request for the Department of Labor's views on S. 2022, the Flexible Hours Employment Act, a bill "To provide increased employment opportunity by executive agencies of the United States Government for persons unable to work standard working hours, and for other purposes."

S. 2022 would provide that a fixed quota of part-time positions be set aside in an "executive agency" and would provide that part-time employees, on a pro rata basis, receive all benefits normally available to full-time employees in a similar position or grade. Such employment would not be counted towards determining an executive agency's personnel ceiling requirements, other than on a pro rata basis. Section 3 of the bill would authorize the Secretary of Labor to conduct research and experimentation projects to promote part-time employment in the public and private sector. The bill would impose fixed percentages, starting at 2% and rising to 10% after five years, of positions to be filled on a part-time basis at each and all levels in the Departments and Agencies. The bill is designed to increase employment opportunities for working mothers, students, older persons, and the handicapped. Although we support these objectives, we do not believe that legislation is necessary to accomplish them, and accordingly, we cannot support S. 2022.

With respect to administration of the Act, we question first the requirement that the Department of Labor be responsible for administering the program. The matter of hours of work in the Federal Service is clearly within the sphere of responsibility of the Civil Service Commission.

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We believe it is unrealistic and unwise to require that a fixed minimum number or percentage of positions be reserved for employment on a flexible hours of employment basis. Such a requirement impinges upon the Agency Head's responsibility for management and fails to reflect the fact that the proportion of jobs amenable to part-time performance will vary among agencies.

The Department does not believe that new legislation is needed for research projects contemplated by section 3. There is adequate authority and flexibility under present law for such projects, and it is already the official policy of the Executive Branch to promote increased use of part-time employment where appropriate.

Indeed, the Department of Labor plans to undertake a study of jobs and functions within our agency such as that envisioned by section 3 of the bill. Some part-time work at both clerical and professional levels is available under current law, and we expect that further investigation will show that it is possible to draw more effectively on highly qualified personnel available on a part-time basis. Moreover, the Department will explore ways of increasing part-time job opportunities in the private sector under the various programs we administer.

The Office of Management and Budget advises that there is no objection to submission of this report from the standpoint of the Administration's program.

Sincerely,

  
Peter J. Brennan  
Secretary of Labor